

ORDINANCE NO. 2855-11

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN", CAPITAL IMPROVEMENT ELEMENT TO ADOPT THE REVISED FIVE YEAR CAPITAL IMPROVEMENT PLAN WITHIN THE DATA, INVENTORY AND ANALYSIS COMPONENT OF THE COMPREHENSIVE PLAN AND TO UPDATE AND TO REFLECT CUURENT PUBLIC SCHOOL FACILITY AND CAPACITY PLANS, PURSUANT TO THE REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended and modified by repealing and replacing within Section 58-1 "Comprehensive Plan adopted by reference"; the text and tables within the Capital Improvements Element including the "Winter Park Five Year Capital Improvement Plan" text and tables, currently included on Pages 7-9 to 7-22 to read as follows:

CHAPTER 7: CAPITAL IMPROVEMENT ELEMENT §9J-5.016(3), FAC

WINTER PARK FIVE YEAR CAPITAL IMPROVEMENT PLAN

Introduction

The format of the Winter Park five year capital improvement plan in this Goals, Objectives and Policies document is to provide a narrative description of the status of each program to provide an understanding of the status of previous projects, the status of currently committed and programmed improvements and the direction for committed projects in the time horizon beyond the current five year program. Pursuant to Chapter 163, the city's five year capital improvement plan shall be updated annually by ordinance as part of the budget ordinance and will be included within the Data, Inventory and Analysis component of the Comprehensive Plan.

Potable Water

The City of Winter Park owns and operates three potable water production plants that serve the nine square miles of the city and the overall twenty-two square miles of the city's utility service area. These three water treatment facilities are the Swoope Avenue Water Treatment Plant, the University Boulevard Water Treatment Plant and the Magnolia Avenue Water Treatment Plant. Beginning in 2001 and ending in 2008, all three of these water plant facilities were completely rebuilt, modernized and have

increased water production capacity. This water plant improvement project was a \$37 million dollar investment. As a result, the City's Capital Improvement Program does not include any major water plant improvement projects as that major effort has just been completed. Design capacity for these three interconnected water plants are 28.8 mgd. (Design capacity is based on maximum daily usage plus fire emergency) Available unused water production capacity in 2008 is 17.6 mgd. Available unused water production capacity in 2028 is projected at 16.6 mgd. This surplus capacity insures the availability of potable water for all growth/development throughout the entire utility service area plus emergency capacity for firefighting capabilities.

However, despite that available capacity, the volume of groundwater available to the City's water system is limited by the levels established in the consumptive use permit issued by the St. Johns River Water Management District (SJRWMD). Current groundwater allocation is limited to 12.7 mgd by the SJRWMD in 2025. The consumptive use permit does not cover the planning period from 2026 to 2028. The City will apply for a renewal of the consumptive use permit prior to that time. The table below lists available capacity in groundwater supplies based on groundwater allocations authorized by the SJRWMD by year 2008 thru 2025 demands.

Current Available Capacity from Groundwater Sources

Year	Permitted Groundwater Withdrawal¹	Average Daily Demand	
		Average Daily Flow²	Available Capacity
	<u>(mgd)</u>	<u>(mgd)</u>	<u>(mgd)</u>
2008	11.9	11.2	0.7
2013	12.0	11.4	0.6
2018	12.2	11.4	0.8
2023	12.7	11.7	1.0
2025	12.7	11.9	0.8

Water Supply Plan

The St. Johns River Water Management District has determined that traditional water supply sources will not be sufficient to meet demands of the growing population and the needs of the east central Florida area. The Florida Legislature enacted bills in 2002, 2004 and 2005 to more effectively address the state's water supply situation by improving the coordination between local land use planning and water supply planning. In 2004, the Legislature amended Chapter 163, Florida Statutes, to give local governments until December 1, 2006, to prepare the 10-year water supply facilities work plans. The City's water supply plan is within the Public Facilities Element of this Comprehensive Plan.

The SJRWMD has identified alternative water supplies in the District Water Supply Plan 2005. For the City of Winter Park, when the Comprehensive Plan was adopted in February 2009, it appeared that the St. Johns River (near Yankee Lake) was identified as the best option for an alternative water supply. The City of Winter Park began working with the Seminole County and exploring the technical and institutional feasibility of developing the St. Johns River near Yankee Lake alternative. To that end, the previous year's CIP showed the City's share of funding for the planning and design for the Yankee Lake Regional Water Source project.

In light of the potential projected cost for an alternative water supply that may or may not be needed, together with the environmental, legal and political challenges looming for that option, the City of

Winter Park has undertaken a new strategy to comply with the unfunded mandate imposed by the Florida Legislature. It is composed of three major initiatives as follows:

Comply with the consumptive use permit – The City is resolved to ‘live within our means’ and comply with the maximum groundwater withdrawal levels allowed under the current SJRWMD consumptive use permit. Winter Park and its water service area is substantially built-out and the demands for additional potable water use by new growth and development should be manageable within the current permitted levels of the consumptive use permit.

Expand the use of reclaimed water – The most effective way to reduce and conserve potable water usage is to reduce the amount of potable groundwater used for irrigation by increasing and substituting the use of reclaimed water for irrigation purposes. The City intends to work with the City of Orlando to utilize reclaimed water from the regional Iron Bridge treatment plant, now that it is available adjacent to us within Baldwin Park. The City also intends to increase the capacity of our own Winter Park Estates plant. Together, these two future projects could provide for significant reductions in potable groundwater use for irrigation thereby significantly increasing available capacity for new growth and development.

Enhanced conservation efforts - The City believes in the untapped potential of water conservation as a difference maker if taken seriously. The first step is the City’s ongoing conversion to an automatic meter reading (AMR) system to track consumption. This is important to identify leaks to prevent water loss and to track water usage (especially irrigation) by times of day, days of the week, etc so that water conservation rules can be enforced. Other important conservation measures are currently identified in the Water Supply Plan will also provide effective means of water conservation.

The City has implemented the Automatic Meter Reading (AMR) project. The AMR system provides budget efficiencies in eliminating the meter reading personnel but the other attractive feature is that the AMR system continually transmits data on water consumption which is important in identifying leaks that occur in the system. Significant amounts of potable water are lost annually to leaks that are undiscovered by the property owners until they receive a huge monthly utility bill in the mail. The AMR system provides the ability to identify water system leaks to then facilitate quick repair and will be an important water conservation tool in the future to conserve potable water usage.

Waste Water or Sanitary Sewer

With the exception of the Winter Park Estates waste water plant, all wastewater or sanitary sewer flows are collected and pumped for treatment at plants owned and operated by the City of Orlando and the City of Altamonte Springs. The City of Winter Park through previous contractual agreements has purchased ample sewer treatment capacity for all the projected growth and development anticipated within both the nine square miles of the city and the twenty-two square miles of the city’s utility service area. The average annual flow for 2008 is 6.3 million gallons per day (mgd) and available sewer treatment capacity for city flows are 8.3 mgd. Projected sanitary sewer flows in 2028 are 7.0 million gpd again contrasted with treatment capacity purchased by the City totaling 8.3 mgd.

Upgrading/Rerating of the Iron Bridge Regional Treatment Plant

Due to the age of Orlando's Iron Bridge treatment plant, the City of Winter Park in partnership with Orlando and the other contributing jurisdictions need to make significant reinvestments in this treatment plant's infrastructure. These expenses are to maintain the existing capacity and not an increase in treatment capacity. Additional Capacity from the City of Altamonte Springs

The City of Altamonte Springs has 5.483 mgd of excess sewer treatment capacity available for purchase. Only a small portion of the City's overall flow is sent to Altamonte Springs. The operational costs at Altamonte Springs are significantly less than at the City of Orlando plants. The City of Winter Park anticipates a capital improvement project to divert flow going to Orlando's Iron Bridge treatment plant to Altamonte Springs. The savings in operational treatment costs may very well pay for this project over time plus it would open up more capacity long term for growth and development.

Expansion of the Winter Park Estates Plant

The Winter Park Estates Water Reclamation Facility, owned by the City, is a sewer treatment plant utilizing spray irrigation of the treated effluent as disposal method onto golf courses and parks. That facility is permitted at 0.75 mgd but limited to 0.615 mgd due to wet weather storage limitations. Spray irrigation has the benefits of aquifer recharge and water conservation. As such, it is an important component of the City's consumptive use permit from SJRWMD. The City's desire is to expand the Winter Park Estates plant to 1.0 million gpd via rerating of the plant, plant improvements and by expanding the irrigation system to include adjacent residential neighborhoods. . By reducing the need for the use of potable water for irrigation this project also is a potable water conservation and aquifer recharge capital improvement project.

Recreation and Open Space

The City of Winter Park has adopted a level of service standard for park land of 10 acres per 1,000 residents. This is an ambitious standard, well above state and national standards, that reflects the importance of park and open spaces areas to the character and quality of the city. While state comprehensive plan regulations do not require the adoption of a park land level of service standard, the City of Winter Park has voluntarily chosen to adopt such a level of service standard so that the quantity of park land available to its residents is maintained along with the expected population growth.

The population increases that the City has experienced over the past 15 years have largely come from the annexation of existing neighborhoods adjacent to the city. The population projections for the city also are largely based upon the potential for annexations of some other adjacent residential neighborhoods in order to round off the city limits. There has been debate that these residents already use the city parks and thus there is not degradation of the level of service. However, the city remains committed to maintaining the 10 acres per 1,000 resident level of service standard.

Future Park and Recreational Needs

The City's population is anticipated to increase by 5,919 residents between 2009 and 2028. As population increases, so too will the demand for parks and recreation facilities.

Winter Park Population Projections					
Year	2009	2013	2018	2023	2028
Total Permanent Population	28,581	30,000	31,500	33,000	34,500

Future Park Demands. The demand for future parkland is based upon two factors, the future population, and the LOS for parks. Winter Park's LOS for park land is 10 acres for each 1,000 residents. Based upon that LOS, the City has sufficient park land for a population of 29,645.

Projected Park Acreage Demands & Needs Based on Population Projections for Park & Recreation Acreage					
Year	Population	Proposed LOS (acres per 1,000 residents)	Existing Acres	Acreage Needs (+ Surplus/ - Need)	Projected LOS (acres per 1,000 residents)
2009	28,581	10.0	297.66	+11.85	10.37
2013	30,000	10.0	297.66	-2.34	9.92
2018	31,500	10.0	297.66	-17.34	9.45
2023	33,000	10.0	297.66	-32.34	9.02
2028	34,500	10.0	297.66	-47.34	8.63

The City's Comprehensive Plan includes a policy commitment to convert the existing tree farm property into a park facility more readily usable by the public. This does not affect the level of service standard, as this property is already included in the city's inventory but the improvement of this property into a park (vs. tree farm) will greatly enhance the usability of that 17 acre parcel for the city's residents.

The city's capital improvement plan does include continued funding or the acquisition of additional park land in order to meet the expected needs of the anticipated population growth. Funding at that time and in the future years will be necessary to maintain the level of service standard if the expected annexations occur. Again the need for additional park land is largely dependent upon annexations increasing the city's population.

Drainage and Aquifer Recharge

The City of Winter Park has a storm water utility fee charged to all properties within the City. This fee funds ongoing drainage repairs and improvements, street sweeping for surface water quality (to reduce debris into the lakes) and our "Save our Lakes" program of capital water quality improvement projects.

The storm water utility fee was established in 1990 and is an ongoing continual program of maintenance/repair and capital improvement (water quality and drainage) projects.

Storm Water Retrofits

Street debris (leaves/grass clippings, etc.) that are carried through the storm water drainage system during rain events are the major component that causes degradation to the surface water quality of the City's lakes. As a result, reducing the volume of that street debris from entering the lakes is the primary focus of the "Save our Lakes" program of water quality and drainage capital improvements. The City's capital improvements plan shows ongoing storm water retrofits during the five year timeframe to the storm water outfalls going into Lake Berry, Lake Sylvan, Lake Killarney, Lake Sue, Lake Osceola (at Alexander Place and Elizabeth Drive) and Lake Maitland (at Dixie Parkway).

Exfiltration within the Golf Course

The City just completed a major project on the third hole of City's municipal golf course by diverting the street drainage from the adjacent streets into a large exfiltration pipe system buried below that portion of the golf course. Diverting these storm water flows reduces the amount of street debris into Lake Maitland and significantly enhances aquifer recharge potential.

Transportation-Traffic Circulation Capital Improvement Projects

Winter Park's five year Capital Improvement Plan (CIP) contains significant financial obligations and commitments for full range of multi-modal transportation improvement projects that address both local needs and which work to assist in the implementation of the region's transportation and mobility strategy. A brief summary of these projects from current year out to future funding is as follows:

State/Federal/Local Committed Transportation Projects

Central Florida Commuter Rail

The Florida Department of Transportation (FDOT) intends to purchase 61.5 miles of the existing CSX right-of-way and freight tracks to construct and operate a commuter rail system that would serve Volusia, Seminole, Orange, and Osceola Counties. The City of Winter Park had agreed to participate in the commuter rail project and entered into an inter-local agreement with Orange County in August 2007 to facilitate a "kiss and ride" stop in downtown Winter Park in conjunction with the existing Amtrak station. The overall Commuter Rail project will be constructed in two phases. Phase I is to be constructed along 31 miles of the tracks from Debary in Volusia County to Sand Lake Road in south Orange County.

Amtrak Station Improvements

Winter Park has received a Federal earmark grant to improve and reconstruct the existing Amtrak station, located where the commuter rail stop had been proposed. The new constructed Amtrak Station, enhanced restrooms and companion transit accommodations will augment service for the future use of the rail system. The City is pursuing an agreement to implement the project. At this time the project parameters, design and cost have not been determined by the City Commission.

Federal/State Funded Committed Transportation Projects

Currently funded transportation improvement projects via Federal or State funding within the City of Winter Park include the following projects:

Fairbanks Avenue (SR 426) Pedestrian Improvements

To increase pedestrian safety and bicycle mobility along the 4.2 mile Fairbanks/Osceola/Aloma Avenues (SR 426) corridor, from U.S. 17-92/SR 15/600 to Lakemont Avenue, the City is implementing a \$1,000,000 program of pedestrian improvements including sidewalk ramping, removal of obstructions in the sidewalks (palm trees), lighting improvements and sidewalk repairs/expansions. This project is funded with federal dollars administered by Fl. DOT and included in the current Fl. DOT work program (Project ID 416368-1-58-01). The end result will be bike and pedestrian improvements along a heavily travelled state road corridor that is safer and more conducive to pedestrian and bicycle travel. In addition to these funds, the City's electric utility is currently engaged in a complimentary project to underground electric along 1.2 miles of this corridor that will result in the removal of utility poles and increased pedestrian and bicycle mobility and safety.

Fairbanks (SR 426)/Orange (SR 527)/Pennsylvania Avenue Intersection Improvements

To improve traffic flow and pedestrian mobility within this three-way intersection, the City is implementing a \$490,000 intersection improvement project. This project is funded with federal dollars administered by Fl. DOT and included in the current Fl. DOT work program (Project ID 416368-1-58-02). This project involves some reconfigurations to the intersection to eliminate times when local traffic on Pennsylvania Avenue cannot clear the intersection (due to turning vehicles) and then blocking traffic on the Fairbanks Avenue and Orange Avenue legs of the intersection. The project also involves new traffic signals and controllers to the Fl. DOT specifications and new pedestrian signals that are important as this intersection is ¼ mile from the OCPS (Ninth Grade Center).

State/Federal/Local Future Transportation Projects (not currently funded in the TIP)

Included in the 2025 Metroplan Orlando Area Transportation Study (OUATS) Financially Constrained Network and the OUATS Transportation Needs Network (Needs Plan) but not in the Transportation Improvement Program (TIP) are four traffic improvement projects, of which two are at the urging of the City of Winter Park to increase traffic capacity along U.S. 17-92/SR 15/600 and Lee Road (SR 423). Since they are not committed projects, they cannot be reflected in the City's CIP except as indicated as outside the five year plan.

Interstate Four Expansion Project

Interstate Four (I-4) linking Daytona Beach to Tampa has 73 miles of its length through Central Florida. I-4 accommodates an average of 1.5 million trips daily in Osceola, Orange, Seminole and Volusia counties. Over the next few decades, FDOT will reconstruct those 73 miles of I-4 by expanding the road to six lanes and two HOV lanes. Right-of-way acquisition has already started in Central Florida. The City of Winter Park has 100 feet of I-4 within our city limits at the Fairbanks Avenue (SR426) intersection. Despite the minimal extent of I-4 within the City of Winter Park, this roadway on the city's western border is the cornerstone of the region's transportation and mobility improvement strategy for Central Florida.

Aloma Avenue (SR 426) Widening Project

This project involves the expansion of Aloma Avenue from four lanes to six lanes from Lakemont Avenue to the Seminole County line. Approximately one mile of this roadway is within the city limits. At this time that project has been included by the MPO in the Metroplan Orlando Needs Network but not in the Financially Constrained Network, thus no dollar value has been assigned. Project timing is dependent upon the MPO.

Lee Road Extension

The flow of traffic through intersection and the operation of intersection traffic signals are the primary functions that control the LOS and traffic capacity on all the state roads in the city. The City has two intersections in close proximity (660 feet) of each other at Lee Road (SR 423) and US 17-92/SR 15/600 and at Webster Avenue and US 17-92/SR 15/600 that are the major "choke" points restraining peak hour capacity particularly on US 17-92/SR 15/600. The Lee Road (SR 423) extension project would improve traffic flow on both Lee Road (SR 423) and US 17-92/SR 15/600 by extended Lee Road and eliminating the left hand turn movements onto Webster thereby increasing capacity on US 17-92/SR 15/600. The City has in the past supported this project and Fl. DOT in support of this project has completed the preliminary design and engineering of the project. However, at this time that project of \$16 million has not been included by the MPO in the TIP but it is included in the Metroplan Orlando Financially Constrained Network and Needs Network. Thus, project timing is dependent upon the MPO.

US 17-92/SR 600 Improvement Project

This project would widen the sidewalks along the US 17-92 corridor to enhance pedestrian bicycle mobility and safety plus eliminate and consolidate driveways thereby increasing traffic capacity. The City has supported this project and Fl. DOT has done preliminary engineering costing of the project. However, at this time that project has not been included by the MPO in the TIP but it is included in the Metroplan Orlando Financially Constrained Network and Needs Network. Thus, project timing is dependent upon the MPO.

City of Winter Park Committed and Funded Transportation Projects

Sidewalk/Pedestrian Improvements

As a recurring annual expenditure, the City's capital improvements plan reflects incremental pedestrian/sidewalk enhancements annually. These projects include ramping of curbs, sidewalks repairs and sidewalk extensions to accomplish greater pedestrian and bicycle mobility and safety.

SECTION 2. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended and modified by repealing and replacing within Section 58-1 "Comprehensive Plan adopted by reference"; within the Capital Improvements Element, Policy 7-6.6 "Orange County Public Schools 10-Year Capital Outlay Plan" currently included on Page 7-7 so as to update and reflect the current OCPS 10 Year Capital Outlay Plan, to read as follows:

Policy 7-6.6: Orange County Public Schools 10-Year Capital Outlay Plan. The City of Winter Park hereby incorporates by reference the Orange County Public Schools 10-Year District Capital Outlay Plan (DCOP) currently in force as adopted by the School Board on that includes school capacity sufficient to meet anticipated student demands projected by OCPS.

SECTION 3. That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" of the Code of Ordinances is hereby amended and modified by repealing and replacing within Section 58-1 "Comprehensive Plan adopted by reference"; within the Capital Improvements Element, that portion of Policy CMS 1.1 subsection (E) "School Facilities" currently included on Page 7-28 to reflect the adoption and execution of the required interlocal agreement with the Orange County School Board, to read as follows:

CONCURRENCY MANAGEMENT SYSTEM

E. **School Facilities.** The City has executed an interlocal agreement with the Orange County School Board that includes the means to implement school facility concurrency requirements. It includes the following school facility standards to satisfy the school concurrency requirement:

1. For district-wide concurrency service areas:

- a. At the time the residential development order or permit is issued, the necessary facilities and services are in place or under construction; or
- b. A residential development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under construction not more than 3 years after permit issuance as provided in the adopted public school facilities program.

2. For less than district-wide concurrency service areas: If public school concurrency is applied on less than a district-wide basis in the form of concurrency service areas, a residential development order or permit shall be issued only if the needed capacity for the particular service area is available in one or more contiguous service areas and school capacity is available district-wide as defined in Section 163.3180(13)(e), F.S.

SECTION 4. 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 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. Effective Date. The effective date of this Plan Amendment shall be 31 days after the State Planning Agency notifies the City that the plan amendment package is complete. If timely challenged, the amendment does not become effective until the State Planning Agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 26th day of September, 2011.

Kenneth W. Bradley
Mayor, Kenneth W. Bradley

Attest:

Cynthia Bonham
City Clerk, Cynthia Bonham