



# city commission agenda

## Regular Meeting

April 11, 2016

3:30 p.m.

Commission Chambers

commissioners				mayor	commissioners			
seat 1	Gregory Seidel	seat 2	Sarah Sprinkel	Steve Leary	seat 3	Carolyn Cooper	seat 4	Pete Weldon

## welcome

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

## meeting procedures

**Persons desiring to address the Commission MUST fill out and provide to the City Clerk a yellow "Request to Speak" form located by the door.** After being recognized by the Mayor, persons are asked to come forward and speak from the podium, state their name and address, and direct all remarks to the Commission as a body and not to individual members of the Commission, staff or audience.

**Citizen comments at 5 p.m. and each section of the agenda where public comment is allowed are limited to three (3) minutes. The yellow light indicator will remind you that you have one (1) minute left.** Large groups are asked to name a spokesperson. This period of time is for comments and not for questions directed to the Commission or staff for immediate answer. Questions directed to the City Commission will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

## agenda

### 1 Meeting Called to Order

### 2 Invocation Father Richard Walsh, St. Margaret Mary Catholic Church Pledge of Allegiance

### 3 Approval of Agenda

### 4 Mayor's Report

**\*Projected Time**  
**\*Subject to change**

- Proclamation – Earth Month and presentation to Keep Winter Park Beautiful sponsors
- Business Recognition Award Recipient – First Quarter 2016 - Fiddler's Green Irish Pub & Eatery
- Proclamation – National Library Week
- Video presentation – Inside the City: Episode III - Code Compliance

25 minutes

### 5 City Manager's Report

**\*Projected Time**  
**\*Subject to change**

- Board appreciation options

10 minutes

[illegible]

- c. Ordinance – Amending Ordinance Nos. 2843-11 and 2880-12, Article III, Chapter 2, City Code regarding City boards and commissions (1)

30 minutes

**12 City Commission Reports**

**\*Projected Time**  
**\*Subject to change**

- a. Commissioner Seidel
- b. Commissioner Sprinkel
- c. Commissioner Cooper
- d. Commissioner Weldon
- e. Mayor Leary

10 minutes total

## appeals & assistance

"If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105).

"Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting."



# city commission city manager's report

item type

City Manager's Report

meeting date

April 11, 2016

Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

issue	update	date
Railroad crossing update	Four of Winter Park's street crossings are included in FDOT's CIP for installing concrete panels.	FDOT is expected to begin the work in June 2016. The City and FDOT completed the improvements at Lyman/New York Avenues crossing.
Visioning Steering Committee	Inviting community to participate at <a href="http://www.visionwinterpark.org">www.visionwinterpark.org</a> .	Neighborhood meetings were held on April 2 <sup>nd</sup> and 3 <sup>rd</sup> . Rain date will be April 23 at Harland Park and Howell Branch Park.
New Hope Baptist Church Project	The exterior of the buildings, accessible restrooms, landscaping, parking and drainage have been completed and approved. The Pastor has agreed to obtain assistance of a designer to improve the architectural appearance of the buildings to include the area at the base of the structures.	The Pastor still plans to fully address the architectural concerns with the two classroom buildings.
Ward Park restrooms	Design is complete on two new restrooms by the new soccer fields and adjacent to the existing restrooms at the Little League fields.	Contract awarded at the April 11 Commission meeting. Construction should start by the end of May 2016.
Denning Drive	Preparing community meetings for review of Denning Drive complete street plan	Scheduled for May 12 and June 7 at the Winter Park Civic Center. Times to be determined.

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.



**REGULAR MEETING OF THE CITY COMMISSION**  
**March 28, 2016**

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by City Manager Randy Knight, followed by the Pledge of Allegiance.

Members present:

Mayor Steve Leary  
Commissioner Greg Seidel  
Commissioner Sarah Sprinkel  
Commissioner Carolyn Cooper  
Commissioner Pete Weldon

Also present:

City Manager Randy Knight  
City Attorney Kurt Ardaman  
City Clerk Cynthia Bonham

Oath of Office

The Oath of Office was administered to re-elected Commissioner Carolyn Cooper by Mr. Thad Seymour; and to newly elected Commissioner Pete Weldon by his campaign volunteer Acacia Baker.

Approval of the agenda

**Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.**

**Mayor's Report**

- a. Presentation of Award – Tree City USA, Tree City Growth USA & Tree Line USA

This item will be scheduled for April 25 due to the unforeseen absence of Ms. Dana Sussman with the Florida Forest Service.

- b. Proclamation – Arbor Day (April 2016)

Mayor Leary presented a proclamation recognizing April 29, 2016 as Arbor Day. Dru Dennison, Forestry Division accepted the proclamation.

- c. Proclamation – Water Conservation Month (April 2016)

Mayor Leary presented a proclamation to Water Treatment Chief Gary Heller and Water and Wastewater Utilities Director Dave Zusi recognizing April 2016 as Water Conservation Month. Mr. Zusi addressed what the City is doing to preserve water and the importance that citizens conserve.

d. Presentation of Award – Healthy Weight Community Champion (Orange County Health Department Director Dr. Sherin)

Dr. Sherin, Director of the Orange County Health Department presented Mayor Leary with a plaque recognizing the City's work towards being a Healthy Weight Community Champion.

**City Manager's Report**

City Manager Knight summarized the schedule of the library/events center process and answered questions. He stated the Commission also needs to decide how to proceed with the existing library site and that the Library Board wants to discuss what the naming policy will be for naming rooms, etc. as part of their fundraising efforts. There was a consensus to put this on the April 11 agenda. Discussion ensued regarding the proposed location of the new library, the cost, the language within the adopted referendum ordinance, and the understanding that the new library site would be in the location of the MLK Park.

Shawn Shaffer, Executive Director Winter Park Library, thanked the Commission for their support.

Jeffry Jontz, 1138 Park North Place, thanked the Commission and citizens for the support of the new library.

Michael Poole, 1671 Summerland Avenue, spoke about the close vote of the referendum but moving forward he wanted to ensure the planning process is a good one because of traffic concerns with the location and the impact to the budget.

Shay Silver, 735 Pansy Avenue, spoke about the location of the library and the effect the new library will have because of the location.

Ann Murrah, 1601 Legion Drive, spoke in favor of the new library and the many community meetings held.

**City Attorney's Report**

Attorney Ardaman reported that the closing of the old bowling alley property with Rollins will be completed in the next few weeks. He also reported that they are waiting for comments to come back from Orange County Public Schools regarding the Showalter Field agreement and that this should be on the April 11 agenda if there are no changes.

### **Non-Action Item**

- a. Presentation of the Comprehensive Annual Financial Report (CAFR) for the year ended September 30, 2015

Finance Director Wes Hamil recognized Finance Department employees who worked on the preparation of the CAFR and stated that he would be willing to meet individually with the Commission to review the document. He introduced Dan O'Keefe of Moore Stephens Lovelace Auditors, who summarized how they undertake the audit and the many laws that they must abide by. Mr. O'Keefe answered questions of the Commission. Mr. Knight stated under our Charter we must bid out audit services every three years and that we are on the third year of the contract so staff will be coming to the Commission to put a Selection Committee together to put this out to bid again.

- b. Update of electric undergrounding plan

Public Works/Electric Director Troy Attaway and Dan D'Alessandro provided a PowerPoint presentation on status of the electric undergrounding plan. They summarized the established plan, the established project priority, where they are to date, the modified undergrounding plan, the various projects in motion, issues with the current plan, and suggested new methods that they will put into place. Commission questions were answered regarding the priority list in place that will be followed and the time saved.

Mr. Attaway commented about the planning that will continue and hope to come back in six months with a plan laid out showing the projects that have been accomplished after staff has had time to work with the new electric employees that were hired that are taking over from ENCO.

### **Public comments (Items not on the agenda)**

Mary Daniels, 650 Canton Avenue, asked that the Martin Luther King, Jr. Park be completed to include the bathrooms.

### **Consent Agenda**

- a. Approve the minutes of March 14, 2016.

**Motion made by Commissioner Sprinkel to approve the Consent Agenda; seconded by Commissioner Seidel. No public comments were made. The motion carried unanimously with a 5-0 vote.**

### **Action Items Requiring Discussion**

- a. RFQ-9-2016 – Library/Events Center Design Consultant Services – Commission representative for Selection Committee Member

City Manager Knight stated we need a Commissioner to serve on this committee. Upon discussion, **a motion was made by Mayor Leary and seconded by Commissioner Sprinkel to appoint Commissioner Weldon. The motion carried unanimously with a 5-0 vote.**

### **Public Hearings:**

- a. RESOLUTION NO. 2173-16: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, SUPPLEMENTING ORDINANCE NO. 3031-16; AUTHORIZING THE ISSUANCE IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$21,000,000 ELECTRIC REFUNDING REVENUE BONDS, SERIES 2016 OF THE CITY FOR THE PURPOSE OF REFUNDING A PORTION OF THE CITY'S OUTSTANDING ELECTRIC REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2007 AND TO PAY THE COSTS THEREOF; PROVIDING FOR THE PAYMENT OF SUCH BONDS FROM THE NET REVENUES DERIVED FROM THE ELECTRIC SYSTEM OF THE CITY; AUTHORIZING THE AWARDED OF SAID BONDS PURSUANT TO A PUBLIC BID; DELEGATING CERTAIN AUTHORITY FOR THE AWARD OF THE BONDS, AND THE APPROVAL OF THE TERMS AND DETAILS OF SAID BONDS; AUTHORIZING THE PUBLICATION OF A NOTICE OF SALE FOR THE BONDS OR A SUMMARY THEREOF; APPOINTING THE PAYING AGENT AND BOND REGISTRAR FOR SAID BONDS; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT AND THE APPOINTMENT OF AN ESCROW AGENT THERETO; AUTHORIZING THE CITY'S FINANCIAL ADVISOR TO STRUCTURE AND SOLICIT BIDS TO PURCHASE FEDERAL SECURITIES TO BE DEPOSITED INTO THE ESCROW FUND CREATED UNDER THE ESCROW DEPOSIT AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING THE APPOINTMENT OF A VERIFICATION AGENT IN CONNECTION WITH THE REFUNDING OF THE SERIES 2007 BONDS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Ardaman read the resolution by title. City Manager Knight stated this sets forth the parameters of the ordinance adopted at the last meeting to move it forward. Attorney Ardaman pointed out a minor change necessary under Definitions on page 2 with the Exhibit 'C' that should be "D'.

**Motion made by Commissioner Sprinkel to adopt the resolution; seconded by Commissioner Seidel.** No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and Weldon voted yes. The motion carried unanimously with a 5-0 vote.**

**City Commission Reports:**

a. Commissioner Seidel

Commissioner Seidel spoke about the Easter service mass at the Ruby Ball Amphitheater that he attended.

Commissioner Seidel asked about the previous Commission conversation regarding getting the word out via email through the City Manager prior to Commission meetings as to their thoughts on particular issues. Discussion ensued that Commissioners could not respond to each other because of the Sunshine Law. Attorney Ardaman stated that is fine as long as the communication goes one way and Commissioners do not respond back to a Commissioner but it could set the Commission up for a potential violation. After further comments, there was not a consensus to do this but to have all conversations in a Commission meeting because of the potential of violating the Sunshine Law.

Commissioner Seidel asked about the possible formation of a Transportation Board. Discussion ensued that the City volunteer boards sunset in May of this year and that discussion will take place over the next meetings as to staff's suggestions on board restructuring which will include a Transportation Board. He asked if there is anything that can be done to accelerate improvements to the Fairbanks/17-92 intersection with the FDOT. There was a consensus for staff to move forward with a plan for the turn lane at this time since the bowling alley property will be the City's.

b. Commissioner Sprinkel

Commissioner Sprinkel spoke about the Easter egg hunt in Central Park.

Commissioner Sprinkel asked about the noise ordinance pertaining to construction and lawn care hours whereby Building Director George Wiggins responded.

Commissioner Sprinkel asked about the delivery of phone books and if we can stop the delivery of them. It was clarified that we cannot stop their delivery.

Commissioner Sprinkel spoke about Martin Luther King, Jr. Park. City Manager Knight stated the Commission has never approved the plan for the park. She asked that this be addressed.

Commissioner Sprinkel spoke about the need to keep the conversations at the 3:30 Commission meetings.

Commissioner Sprinkel asked about a strategic planning session. City Manager Knight responded that it would be appropriate to have this after the visioning process is completed. She asked that the date for this be scheduled as soon as possible.

c. Commissioner Cooper

Commissioner Cooper addressed the meeting time of the Commission meetings that came up during her campaign whereby people would like to see the meetings start later in the evening. She asked if any consideration could be given to change this. After discussion, the meeting time was not changed and will remain at 3:30.

Commissioner Cooper asked about when the last water quality report was provided. Water/Wastewater Director Dave Zusi stated this is done annually, was done recently and is posted on the website.

d. Commissioner Weldon

Commissioner Weldon asked for a consensus to bring back the historic district ordinance with some changes. He provided a list of suggested modifications to four critical elements of the ordinance along with a series of recommendations for the Historic Preservation Board to consider. Mayor Leary stated he can ask that this be on a future agenda. Commissioner Cooper wanted the Historic Preservation Board to address this. Commissioner Seidel spoke about a lot of other issues needing to be addressed and that he wants to see something that will protect the character of the neighborhoods. Commissioner Weldon stated the opportunity here is to decide what is real historic preservation and what is an attempt to control neighborhood redevelopment. Upon further comments, there was a consensus (Commissioner Sprinkel and Weldon and Mayor Leary) to bring this back for the next agenda for discussion to see if an ordinance will be brought forward.

Commissioner Weldon spoke about property acquisition and the four lots on the City Hall block that are not owned by the City that he believed to be strategic properties for the City. He asked if there is a way the City could acquire those properties. He commented that he would like to discuss this issue. Commissioner Sprinkel spoke about the importance to also address all City property when this is discussed. There was a consensus to put this on the next agenda.

e. Mayor Leary

Mayor Leary asked if anything is being done actively to secure emails if we hear from individuals so we can keep them up to date as to what is happening in the City. Communications Director Clarissa Howard stated they market our Citi News if they want to subscribe to receive certain information. She stated that they could ask them to submit their emails voluntarily with a form they can create that would become a public record.

Mayor Leary asked about the status of workforce housing. Commissioner Cooper asked that an update be provided on the affordable housing plan at the same time. Planning Director Dori Stone reminded the Commission that the workforce housing and affordable housing elements will be part of the comprehensive plan being revised this year. She spoke about looking for assistance in reviewing workforce



housing policies that the Commission may want to go forward with. Mayor Leary asked that this be discussed on the next agenda.

Mayor Leary spoke about the honor he had to work with Commissioner McMacken the last few years and that he always respected the respect he brought to the seat and that he will be missed. He welcomed Commissioner Weldon and congratulated Commissioner Cooper on her win and thanked Ms. Macejewski for putting herself out there.

The meeting adjourned at 6:17 p.m.

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Mayor Steve Leary

ATTEST:

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City Clerk Cynthia S. Bonham, MMC



# city commission agenda item

item type	Consent Agenda	meeting date	April 11, 2016
prepared by department division	Purchasing Division	approved by	<input checked="" type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	<input type="checkbox"/> yes <input type="checkbox"/> no <input checked="" type="checkbox"/> N/A		final vote

## Purchases over \$75,000

	vendor	item   background	fiscal impact	motion   recommendation
1.	Brown & Brown of Florida, Inc.	PR159645 – Property Insurance Renewal for City Properties	Total expenditure included in approved FY16 budget. Amount: \$308,539	Commission approve PR159645 to Brown & Brown of Florida, Inc. for Property Insurance Renewal for City Properties.

This purchase will be made utilizing RFP-13-2012 – Insurance Agent/Broker of Record.

## Contracts

	vendor	item   background	fiscal impact	motion   recommendation
2.	Public Financial Management, Inc.	RFP-6-2011 – Financial Advisory Services Amendment No.1	Total expenditure included in approved FY16 budget.	Commission approve Amendment

A formal solicitation was issued to award this contract.

3.	Lake Jem Farms, Inc.	IFB-10-2015 – Purchase, Delivery & Installation Services for Sod Amendment No.1	Total expenditure included in approved FY16 budget.	Commission approve Amendment No. 1 to Lake Jem Farms, Inc. for Purchase, Delivery & Installation Services for Sod, and authorize the Mayor to execute renewal.
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A formal solicitation was issued to award this contract.

4.	Tom's Sod Service, Inc.	IFB-10-2015 – Purchase, Delivery & Installation Services for Sod Amendment No.1	Total expenditure included in approved FY16 budget.	Commission approve Amendment No. 1 to Tom's Sod Service, Inc. for Purchase, Delivery & Installation Services for Sod, and authorize the Mayor to execute renewal.
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A formal solicitation was issued to award this contract.

Approval of contract shall constitute approval for all subsequent purchase orders made against contract

## Piggyback Contracts

	vendor	item   background	fiscal impact	motion   recommendation
5.	Corinthian Builders, Inc.	IFB-6-2016 – Construction of Ward Baseball Field and Soccer Field Restroom	Project funding of \$310k was approved in FY16 budget. Winning bid will require \$355,710 to complete the project. Additional funding will be transferred from the Parks Major Maintenance CIP account.	Commission approve award and PR159674 to Corinthian Builders, Inc. for the Construction of Ward Baseball Field and Soccer Field Restroom.
The City issued a formal solicitation to award this contract. The City deemed it to be most advantageous to award the overall lowest bidder based on pricing submitted with deductive alternates for roofing materials which lowered the overall cost.				

Approval of contract shall constitute approval for all subsequent purchase orders made against contract



# city commission agenda item

Item type	Action Item Requiring Discussion	meeting date	April 11, 2016		
prepared by	Cindy Bonham	approved by	<input checked="" type="checkbox"/>	City Manager	
department	City Clerk		<input type="checkbox"/>	City Attorney	
division			<input type="checkbox"/>	N/A	
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life	<input type="checkbox"/> Fiscal Stewardship			
	<input type="checkbox"/> Intelligent Growth & Development	<input type="checkbox"/> Public Health & Safety			
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

## subject

Appointment of Vice Mayor

## motion | recommendation

Motion to appoint a Commissioner as Vice Mayor.

## background

Per the City Charter, Section 2.06, 'Functions of Mayor; Vice Mayor', at the first regular commission meeting in April, the commission shall elect one of its members as Vice Mayor.

## alternatives | other considerations

N/A

## fiscal impact

N/A



# city commission agenda item

Item type	Action Item Requiring Discussion	meeting date	April 11, 2016		
prepared by	City Manager	approved by	<input checked="" type="checkbox"/>	City Manager	
department			<input type="checkbox"/>	City Attorney	
division			<input type="checkbox"/>	N/A	
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life		<input type="checkbox"/> Fiscal Stewardship		
	<input type="checkbox"/> Intelligent Growth & Development		<input type="checkbox"/> Public Health & Safety		
	<input checked="" type="checkbox"/> Investment in Public Assets & Infrastructure				

## subject

Master Plan for City-owned Properties

## motion | recommendation

Provide direction to staff on the properties discussed in the attached draft master plan of city-owned properties.

## background

At the March 28, 2016 meeting the Commission directed staff to bring back a discussion of city-owned properties as well as properties the city might strategically want to acquire in the future.

Attached is an updated draft of a Master Plan for City-owned Properties. This was last discussed by the Commission in February, 2013 and has now been updated to take into account properties sold and acquired since that time.

While the draft Plan covers many properties the most pressing issues that need to be discussed now is the future of the existing Library site, Progress Point and the properties adjacent to City Hall.

Any of these properties not discussed at this meeting can be placed on a future agenda for discussion.

Ultimately it would be helpful to pick an option for each of these properties and finalize the Master Plan for City-owned Properties.

**alternatives | other considerations**

n/a

**fiscal impact**

Varied, depending on decisions made.





# **City of Winter Park Draft Master Plan for city-owned properties April 2016**

## **Overview:**

The City of Winter Park owns over 150 parcels consisting of over 420 acres of property throughout the city limits as well as within the city's water and sewer service territory that extends outside the city limits. Most of these properties are currently being utilized in accordance with the intended purpose of acquisition.

Since the last Master Plan for city-owned properties (February 2013) was reviewed at the Commission level, the following significant changes have occurred:

- Public Works Administration building was razed and replaced with public parking.
- Library bond referendum passed.
- Pennsylvania/Garfield property was sold.
- Built a Utility Warehouse and Electric Operations Center at the Central Compound, eliminating the need for rented space on Metric Drive.
- Fire Station 64 is in the process of being renovated.
- City acquired 2600 Lee Road and 1111 West Fairbanks Avenue.

The purpose of this plan is to discuss those properties that may be put to a better use whether that is for a municipal purpose or a private purpose. The properties discussed herein are as follows:

- City Hall
- Winter Park Public Library
- Progress Point
- Blake Yard
- Northwest Sports Complex (former Tree Farm)
- Old Swoope Water Plant site
- 2600 Lee Road
- 1111 West Fairbanks Avenue

There are also sites in the city that, *if* they become available, the city would potentially be interested in acquiring for a municipal use if the price is right. Discussions of those properties are at the end of this plan.

# I

## City Hall

**Location:** 401 South Park Avenue



**Size:** 2.8 acres

**Buildings:** City Hall (28,967 sq. ft.)

**Discussion:** This complex serves as home to the City Commission Chambers, City Administration, City Clerk, Finance/Utility Billing, Communications, Economic Development/CRA, Planning, Building & Permitting, Risk Management, Purchasing, Information Technologies and Human Resources.

The current building is adequate to meet the current space needs as well as the known needs of the future. However there may be other factors discussed in the options below that drive a different use of the property in the future.

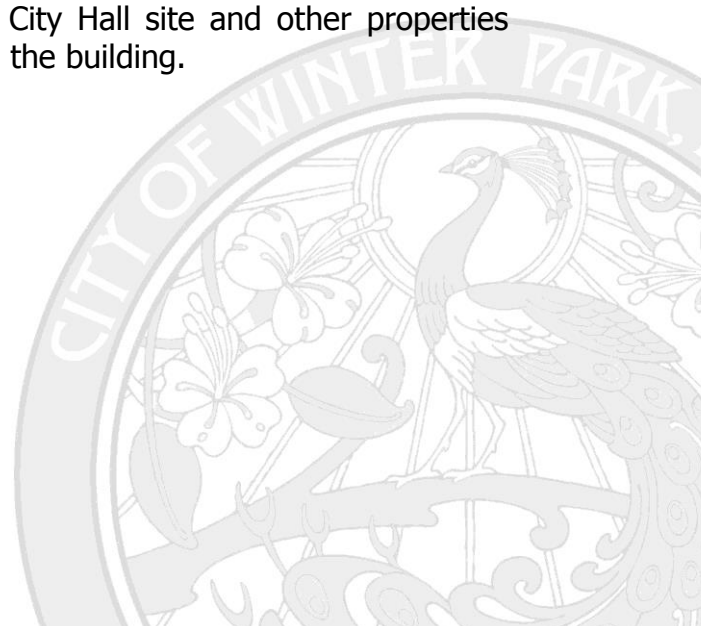
The site is zoned PQP and the current and future land use is designated as Institutional.

### **Potential Options:**

- 1) There has been some discussion that many of the “back-of-house” functions do not need to be located in such a prime location within the city. If a new City Hall were to be built it may make sense to move the back-of-house functions to a different, less valuable location, thus reducing the size of the City Hall at its current location.
- 2) Move City Hall to a different location and sell the current City Hall property. This has been discussed in the past but rejected by the City Commission. There was a strong feeling that City Hall should be on Park Avenue, our “main street”, or at least remain downtown. With the library relocation now approved, one option would be to move City Hall to the existing library location.
- 3) Build a new stand-alone City Hall on the existing site. This would likely require another referendum.
- 4) Build a parking garage behind City Hall and/or in conjunction with the building of a new City Hall to provide additional public parking for downtown. This could be better facilitated if the city acquired the additional properties behind City Hall.
- 5) In the past there has also been discussion of a joint public-private use of the City Hall property. While this might reduce the city’s investment in a new City Hall, the private contribution might not eliminate the need for a voter referendum to approve bonds for the project.
- 6) Leave City Hall as is and continue to make modifications as needed.

### **Staff Recommendation:**

Staff recommends that we explore the concept of moving City Hall to the existing library site. The existing building could be analyzed to determine if it can be retrofitted to accommodate City Hall. A new building at that site can also be studied. The proceeds from the sale of the City Hall site and other properties discussed in this report could be used to fund the building.





## II

### Winter Park Public Library

**Location:** 460 East New England Avenue



**Size:** 1.7 acres

**Building:** 32,980 sq. ft.

**Discussion:** The library is a three-story building with a fairly new HVAC system and energy-efficient lighting. The condition of the building is good.

The property is zoned R-4.

**Potential Options:**

- 1) Sell or ground lease the property (could require rezoning).
- 2) Lease the building (would require rezoning).
- 3) Explore moving other city functions to the site.

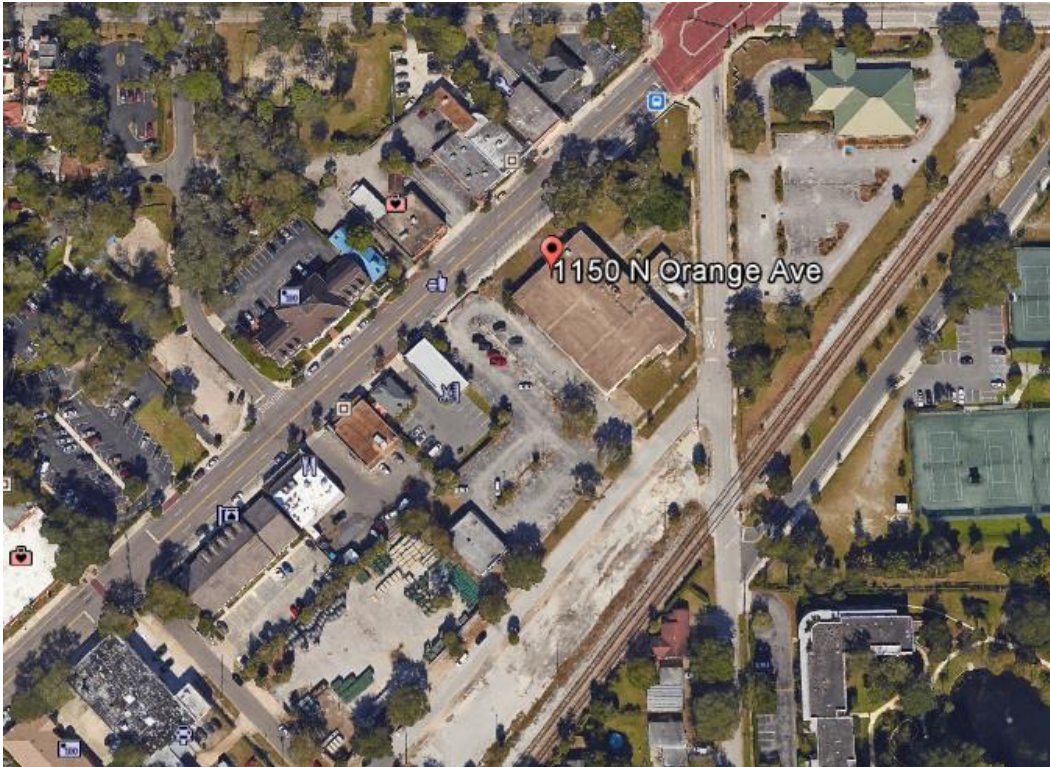
**Staff Recommendation:**

See City Hall recommendation. If that is not an option, market the property.

### III

#### Progress Point

**Location:** 1150 North Orange Avenue, 1211 Palmetto Avenue, 1241 Palmetto Avenue, 1242 Palmetto Avenue, and 1210 Palmetto Avenue



**Size:** 3.76 acres

**Buildings:** 17,833 and 6,125 sq. ft.

**Discussion:** The city acquired the property in the state office building swap. The buildings on the property are in poor shape.

The property has about 400 feet of frontage along Orange Avenue and about 215 feet of frontage along Denning Drive. The eastern part of the property is split by Palmetto Avenue.

There has been discussions about abandoning Palmetto Avenue or shifting it to the east against the railroad right of way in order to maximize its value.

The property is zoned O-1 but could be rezoned to allow commercial retail along the Orange Avenue frontage, multi-family or other uses in the rear.

## **Potential Options:**

With the withdrawal of the only proposal under the Notice of Disposal process, the Progress Point site is again available for consideration as a potential redevelopment site. The Planning & Zoning Board along with the Economic Development Advisory Board (EDAB) held a joint meeting to discuss options on the project.

Their recommendations include preparing preliminary traffic impacts based on various development scenarios, identifying the parking needs of various property owners along Orange Avenue and the ability to help them meet their parking needs through either on-site parking or a parking garage, entitling the property before any sale and hiring a professional commercial real estate broker to market the property for the city.

## **Staff Recommendation:**

- 1) Survey property owners along Orange Avenue for potential parking garage tenants and determine the number of private spaces that may be needed. Based on this number, staff can determine a preliminary cost for a garage, and the necessary contribution to construct and maintain the garage for the Orange Avenue area merchants as well as any development on the Progress Point site. Staff can prepare and send out these surveys within the next month. This step is necessary to determine the amount of property that can be entitled for future sale.
- 2) Relocate Palmetto Avenue rather than vacate the right of way. This evaluation will include a cost of relocation including utilities and impacts on surrounding property owners. Public Works staff has concerns about vacating Palmetto and the impact it would have on Cypress Avenue and Denning Drive. Relocation seems to be the best solution to offer a slightly larger site with access to Palmetto Avenue.
- 3) Consider various entitlements on the property. During the NOD process, concerns were raised about the acceptance of a project that needed to be entitled. The City Commission should decide on a development plan and make the necessary changes to the Future Land Use Map and the Zoning map if needed prior to any advertisement or sale. This entitlement gives the Commission the opportunity to evaluate any proposals on an even playing field.

To facilitate this decision, P&Z and EDAB recommended that staff look at preliminary traffic analysis for various scenarios to determine impacts on Orange Avenue.



- 4) Once the Commission has decided on entitlements, direct staff to hire a commercial real estate broker to actively advertise and market the land. Hiring a broker can take place at any point in this process.

Staff can provide clearer options once the Commission makes a decision about the placement of a parking garage on this site.

DRAFT



## IV

### Blake Yard

**Location:** Blake Avenue (301 West Comstock Avenue)



**Size:** 0.45 acres

**Buildings:** None

**Discussion:** This property's only access is at the dead end of Comstock. The property is zoned PQP but is surrounded by residential property to the west and new townhomes to the north. The neighbor across the street, Forest Michael, has proposed that this property be converted to a garden oriented park or to split the property with part being residential and the rest a garden oriented park. A copy of those proposals are included as "Attachment A" at the end of this document.

**Potential Options:**

- 1) Convert to a public parking lot to support the area businesses and Winter Park Farmers' Market. This would not be popular to the adjacent residential properties.
- 2) Put the property up for sale.
- 3) Use as a neighborhood park.
- 4) Approve one of Forest Michael's plans.

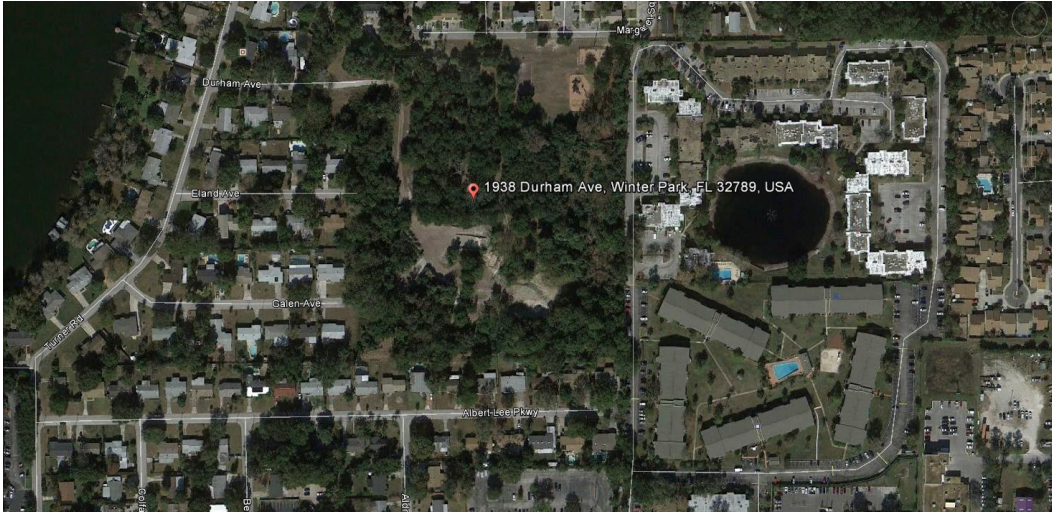
**Staff Recommendation:**

Staff recommends marketing the property for sale.

## V

### Northwest Sports Complex (former Tree Farm)

**Location:** 1938 Durham Avenue (north of Lee Road)



**Size:** 14.17 acres

**Buildings:** None

**Discussion:** Part of this property was once used as a tree farm until it became much more cost efficient to acquire trees from private nurseries. This property has been identified in the Parks Master Plan as a future sports complex. The development of the property into a sports complex is in the five-year CIP for 2019.

The property is surrounded by single family and multi-family residential on all sides. Its access is currently off of Durham Avenue. The City has an agreement with the Winter Park Housing Authority to open an entrance along the side of the Meadows Apartments off of Monroe Avenue so that the entrance would not be in the middle of a residential neighborhood.

There has also been discussion with the Housing Authority about swapping properties and building a new Authority Complex on our property and the athletic fields on their property. That concept has stalled at the moment due to issues on their end but it might resurface.

The property is currently fenced and not open to the public.

The property is zoned R -1A.

**Potential Options:**

- 1) Continue the current use as a natural area.
- 2) Continue with the current plan contained in the five-year CIP.
- 3) Put the property up for sale for a residential use.

**Staff Recommendation:**

Continue with the current plan contained in the five-year CIP.

DRAFT





## VI

### Old Swoope Water Plant Site

**Location:** 631 North New York Avenue



**Size:** 0.99 acres

**Buildings:** None

**Discussion:** This property used to be a water plant site. It was replaced by the water plant next to the Public Safety Building just west of the railroad tracks. A water well still exists on the property that feeds the new Swoope plant. That well will put some restrictions on the future use but is located in a spot that will not affect the development very much. The site is periodically being used for material storage for undergrounding projects but that can be done elsewhere.

The property is surrounded by an office building to the south and east, a parking lot and the railroad tracks to the west and the 7<sup>th</sup> hole of the golf course to the north. The Golf Course Task Force proposed using the property as a golf training facility.

The property is flag-shaped and has very little visibility from New York Avenue.

The property is zoned PQP.

**Potential Options:**

- 1) Continue the current use.
- 2) Market the property for sale.
- 3) Hold on to the property until a final decision is made on any use associated with the golf course.

**Staff Recommendation:**

Hold on to the property until a final decision is made on any use associated with the golf course.

DRAFT

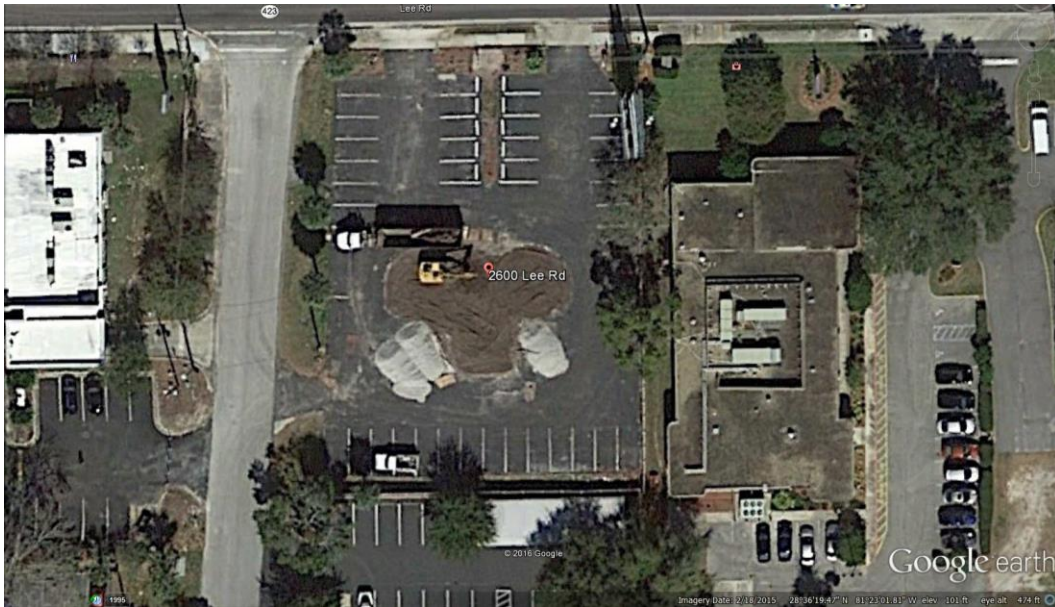




## VII

### 2600 Lee Road

**Location:** 2600 Lee Road



**Size:** 0.45 acres

**Buildings:** None

**Discussion:** This site was acquired by the city in January 2015 for \$990,000 and the building that had been used as an adult entertainment facility was demolished. The property is carried on the city's books as an investment because the intent of the city was to re-sell the property. It has been posted for sale by the city since it was acquired but has not sold.

The property is zoned C-3 and its most likely use will be some type of drive-thru restaurant or coffee/donut shop.

#### **Potential Options:**

- 1) Continue to market the property ourselves.
- 2) List the property with a broker.

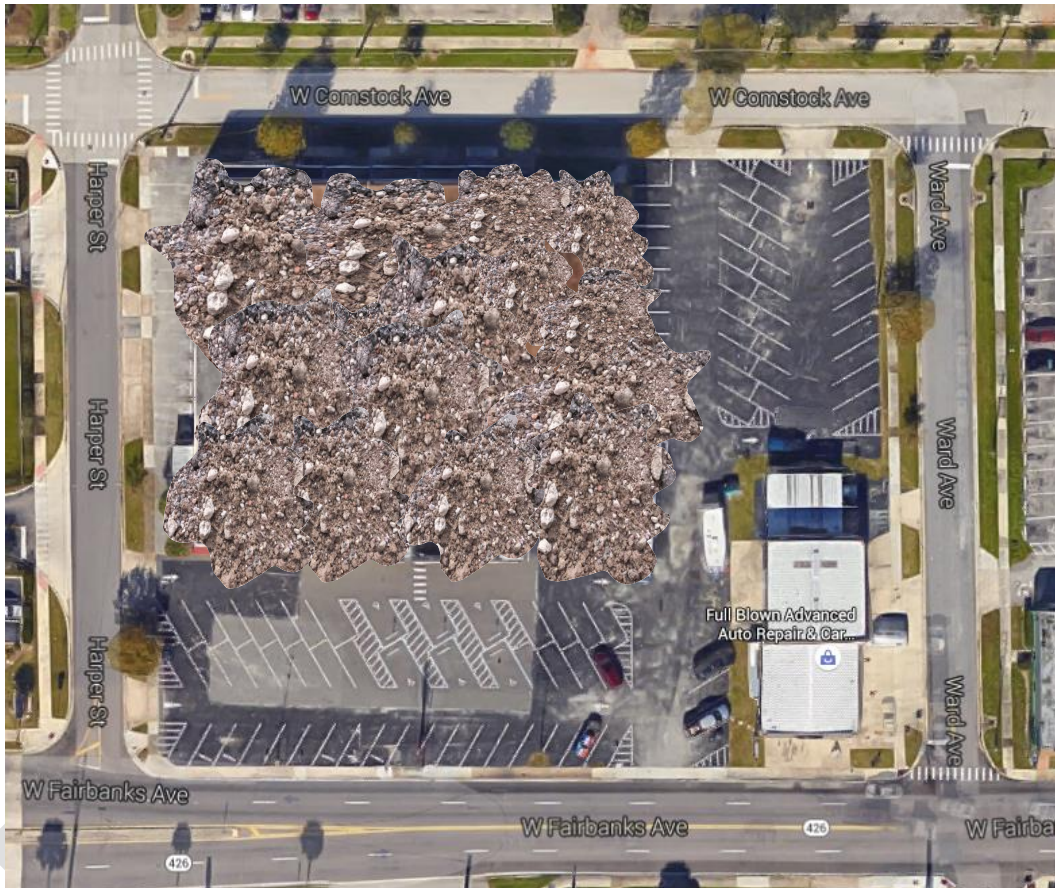
#### **Staff Recommendation:**

List the property with a broker.

## VIII

### 1111 West Fairbanks Avenue (former bowling alley)

**Location:** 1111 West Fairbanks Avenue



**Size:** 1.63 acres

**Buildings:** None

**Discussion:** The city is in the process of acquiring the property. The closing is scheduled for Tuesday, May 17, 2016.

The Fairbanks Avenue frontage is 250 feet. One of the reasons the city is acquiring this property is to eventually improve traffic flow along Fairbanks. The city will need to dedicate at least 22 feet of this property to the Fairbanks right of way (ROW) to be able to make a difference. To make a significant difference, more ROW will need to be acquired by either the Florida Department of Transportation or the city in the future from the properties to the east of this property.

**Options:**

- 1) Dedicate 22 feet of the frontage for future expansion of Fairbanks and use the remaining to expand MLK, Jr. Park.
- 2) Dedicate 22 feet of the frontage for future expansion of Fairbanks and market the remaining 1.5 acres for a commercial use.

**Staff Recommendation:**

Complete the MLK, Jr. Park Master Plan in coordination with the library/event center/parking design and then decide on the future of this property.



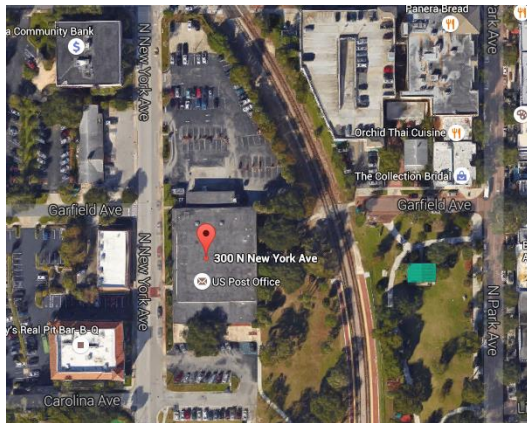


## IX

### Potential Acquisitions

**Important Disclaimers** – The sites discussed below are owned by parties not affiliated with the city. None is currently listed for sale nor has staff attempted to negotiate with any of the owners except as noted below. The inclusion on this list is not an indication that the city would make an offer if the property does become available for sale. The list is simply a planning list of properties that might make sense for some future municipal purpose. While the Orange County Property Appraiser (OCPA) appraised values are listed below it should not be construed as the market value or potential sales price for the properties. Just because a property is not on this list does not mean the city would not be interested in such property if it becomes available.

#### United States Post Office Site – 300 North New York Avenue

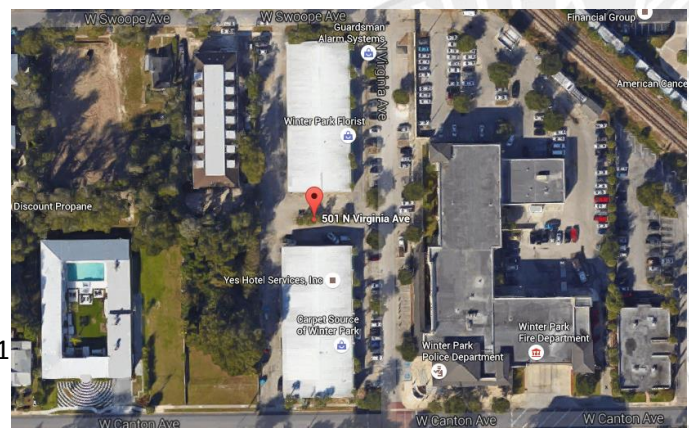


This two-acre site adjacent to Central Park has been identified by the City Commission as a potential site to expand the park and/or as a site for another municipal purpose. The city has sought a right of first refusal on the property but to date that has not been accomplished. The city has been informed by the United States Postal Service that it would receive notice if the property becomes available for sale. The property was appraised at \$2,370,000 in December, 2014/

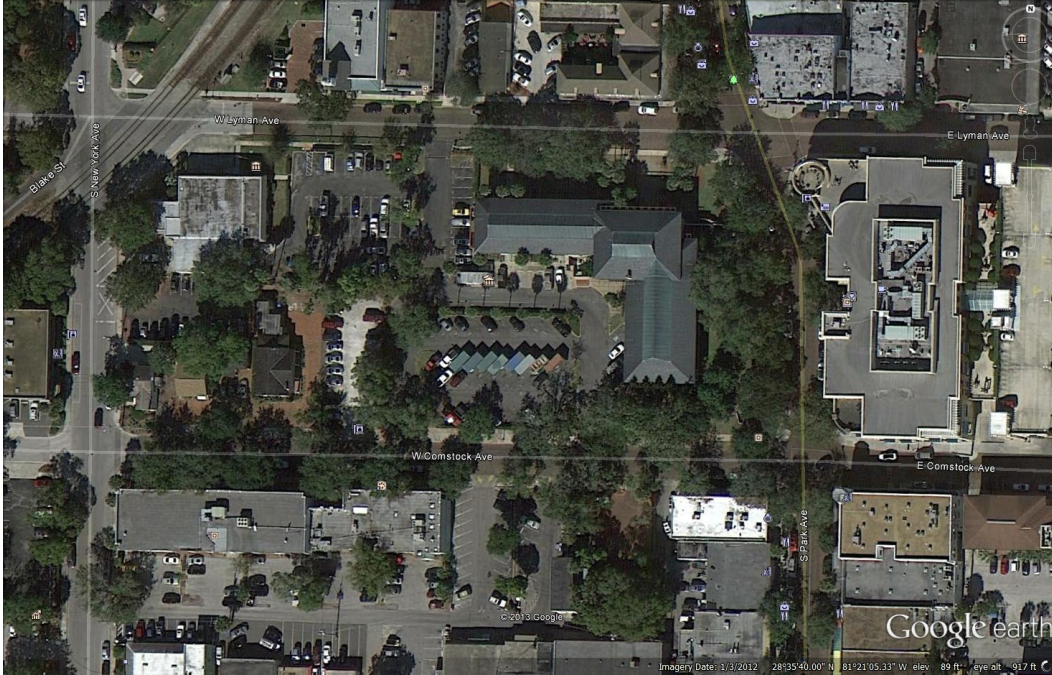
The city had a tentative deal to acquire the property that would have required the city to build a new distribution facility somewhere in the triangle between Winter Park, the Fashion Square Mall, and Metric Drive. We would also have to build a new retail space somewhere downtown. The estimated cost would have been in excess of \$6 million. The Commission voted this deal down because there was a belief that it might be much less costly in the future as the USPS continues to consolidate operations.

#### Property to the west of Public Safety Building - 501 North Virginia Avenue

This 1.7 acre site is adjacent to the Public Safety Building and has been discussed as a logical location for some of the back of house City Hall functions, creating a municipal complex. It is currently owned by HWP Partners and appraised by OCPA at \$1,105,786.



## Properties behind City Hall – 183 through 219 West Comstock Avenue



- 183 West Comstock Avenue – Owned by Immos Oviedo LC, and appraised by OCPA at \$258,968.
- 213 West Comstock Avenue – Owned by Leila Trisman and appraised by OCPA at \$342,379.
- 215 West Comstock Avenue – Owned by Leila Trisman and appraised by OCPA at \$72,291.
- 217 West Comstock Avenue – Owned by Leila Trismen and appraised by OCPA at \$84,296.
- 219 Wets Comstock Avenue – Owned by W. E. and Jimmie W. Winderweedle and appraised by OCPA at \$119,039.

The above combined 0.52 acres are the only parts of the block that City Hall is on that the city does not own. If the city wants to redevelop this block and include a parking garage it would be beneficial, but not absolutely necessary, to own the whole block. The owner of the middle three properties (213, 215 and 217) has submitted an application to demolish the buildings and has plans to construct an office building on the site.



## 901 through 1071 West Fairbanks Avenue

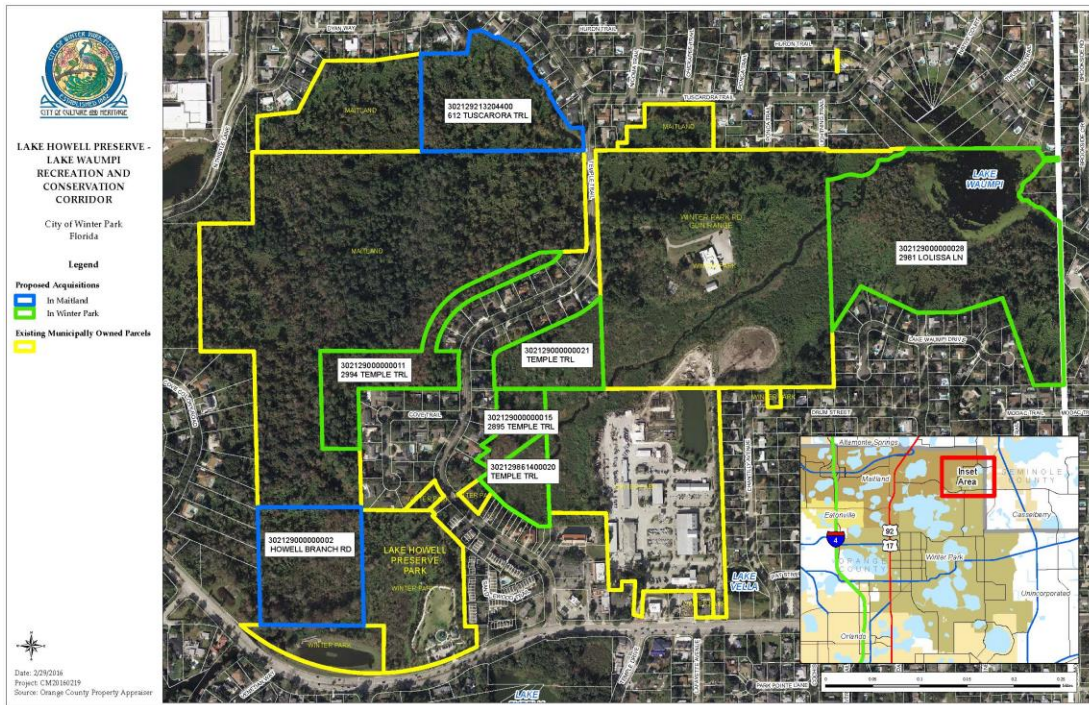


- 901 West Fairbanks Avenue – Owned by Mills family and appraised by OCPA at \$188,250.
- 919 West Fairbanks Avenue – Owned by Euteidra Josephs and appraised by OCPA at \$185,420.
- 929 West Fairbanks Avenue – Owned by Fairbanks Village LLC and appraised by OCPA at \$1,018,233.
- 1019 West Fairbanks Avenue – Owned by Phillip Keen and appraised by OCPA at \$454,287.
- 1021 West Fairbanks Avenue – Owned by Deaver-Johnson LLC and appraised by OCPA at \$507,743.
- 1025 West Fairbanks Avenue – Owned by Alpha Transgalactic, Inc. and appraised by OCPA at \$703,688.
- 1051 West Fairbanks Avenue – Owned by John Sobik, Jr., and appraised by OCPA at \$357,986.
- 1071 West Fairbanks Avenue – Owned by Manley Anderson and appraised by OCPA at \$259,080.

The above properties abut MLK, Jr. Park. As mentioned in the discussion of 1111 West Fairbanks Avenue at least 22 feet of the frontage of these properties would allow a dedicated turn lane along Fairbanks in this block which would greatly improve traffic. The buildings on some of these lots are too close to the road to allow for that ROW to be obtained without taking the building too.

Acquiring all of these properties would allow MLK, Jr. Park to be expanded all the way to Fairbanks and provide the ROW needed for the dedicated turn lane. Acquiring the property at 1071 would square off the former bowling alley block.

## Howell Creek Properties



- 2981 Lolissa Lane – 26.4 acres owned by JBC Land LLC and appraised by OCPA at \$1,946.
- Temple Trail – 4.78 acres owned by JBC Land LLC and E.G. Banks and appraised by OCPA at \$478.
- 2895 Temple Trail – 2.42 acres owned by JBC Land LLC and appraised by OCPA at \$478.
- Temple Trail – 2.71 acres owned by JBC Land LLC and appraised by OCPA at \$266.
- 2994 Temple Trail – 7.1 acres owned by JBC Land LLC and E.G. Banks and appraised by OCPA at \$709.

This 43.41 acres (outlined in green above) is primarily wetlands and not buildable. It may have some limited additional value as wetland mitigation bank credits. It abuts the city's utilities compound off Howell Branch Road and Gun Range property off Temple Trail.

Owning this property would give the city approximately 4,600 linear feet along Howell Creek from Howell Branch Road to Lake Waumpi and provide the city the opportunity to obtain natural open space within a unique linear expanse of natural wetland.

The city is currently getting the property appraised and is working with the state to secure funding for the acquisition.

# **Attachment A**







## Comstock Garden Circle & Market Trail

(Proposed for Winter Park's PQP zoned "Blake Yard" site)

There are many approaches for the public use of this .45 acre triangular public lot (the former Blake Yard zoned PQP), and we are focused on **two park oriented approaches**. As a neighbor one concern in the area is crime and a lack of recreation. The need to address the impact of crime, while having recreational opportunities, is to consider a garden oriented park for the neighbors with a secure yet attractive aluminum 4' fence. Neighbors could socialize and grow vegetables and plants while controlling the drug-oriented user's

access. **Now there is no place for this recreation nearby – all of the parks are too distant.**

The gardeners could work with the Parks Staff and Board to establish the Rules, such as at other community gardens in the city (Mead Gardens, etc.) and could even invite the participation of nearby restaurants, the wedding business, etc. Also the City's Pedestrian and Bicycle Connectivity Plan shows a multiuse trail here **and this park is a perfect "bike ped" Trailhead for the community and neighborhood.** See the two approaches below and the attached maps:

### **Approach A– Keep all the greenspace for the public** (Preferred by commenter)

1. **Keep the public land for the public** serving the West Comstock Avenue residents, a residential oriented street.
2. **A neighborhood-scaled mini park and needed trail access for both local and citywide bicycle and pedestrian circulation.**
3. **Neighborhood food growing and social gathering** with a low 4' ht. aluminum fence to mitigate drug related activity still active in this area.
4. **A Park Facility with 18 raised garden beds;** with tool, shelter and compost areas.
  - No benches outside of the fence for security (A crime ridden area).
  - No parking spaces (15 minute only for drop-off) with bicycle and walking access.
  - Identity sign facing cul-de-sac and railroad informing residents of opportunities.
5. **A cure for a blighted neighborhood edge on the railroad -** City lot in the CRA Plan.
6. **Potential stormwater recycling and a bioswale** for reuse in the garden.

### **Needs from the City for this approach –**

1. **Park development costs** (Approx. \$125,000 with some in-kind works).
  - **The new neighboring townhome revenues to the City will more than offset this cost in a short time.**
  - **Might be able to offset some costs with a local granting foundations.**
2. **Parks provides management** (Sign ups at the Community Center, and oversight).
3. **Market Trail costs by others** (Possibly the Public Works Department tbd / grants)

(See larger map at 11"x17" or 24"x36")



## **Approach B – Sell one lot and have a smaller park (Commenter doesn't like selling)**

1. **Sell one (1) lot at R-1A or R-2A zoning** with the proceeds paying for park expenses.
  - a. Similar to nearby homes.
2. **Serves the neighborhood providing subsistence foods and gathering**, all fenced.
3. **A Park Facility with 9 raised garden beds**; with tool, shelter and compost areas.
  - a. No benches outside of the fence for security (A crime ridden area).
  - b. No parking spaces (15 minute only for drop-off) with bicycle and walking access.
  - c. Identity sign facing cul-de-sac and railroad informing residents of opportunities.
4. **A cure for a blighted area**/ City lot in the CRA Plan.
5. **Potential stormwater recycling and a bioswale** for reuse in the garden.

### **Needs from the City for this approach –**

1. **No park development costs** but these activities would need to be bid per city policy (If approx. \$125,000 is dedicated by the lot sale).
2. **Parks provides management** (Sign ups at the Community Center, and oversight).
  - **The new neighboring townhome revenues to the City will more than offset management cost in a short time.**
3. **Market Trail costs by others** (Possibly the Public Works tbd / grants)

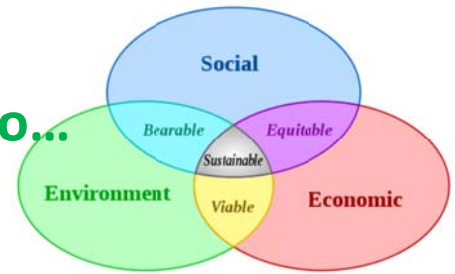
See map on next page

Forest Michael, 358 West Comstock Avenue, Winter Park, Florida 32789, michaelplanning@gmail.com



# Potential neighborhood interaction –

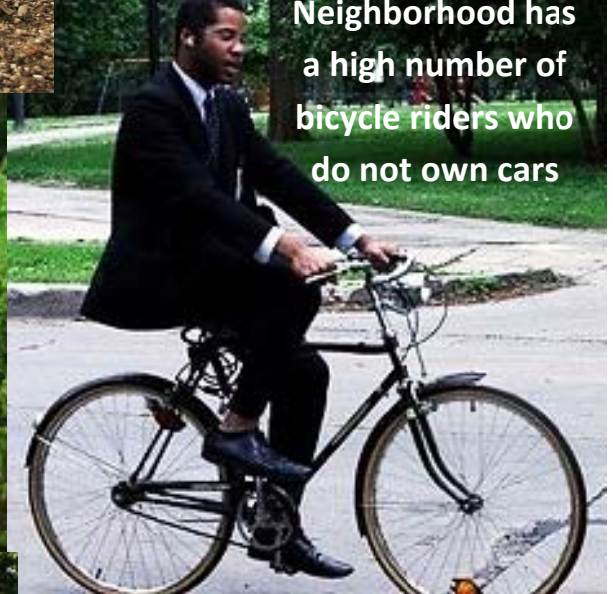
Let's all learn how to...



Social sustainability for all neighbors

The Hannibal Square

quality of life



Neighborhood has a high number of bicycle riders who do not own cars

Connect



In the Hannibal Square Neighborhood number of Rollins and Valencia student residents are increasing



"8 – 80"

A planned bicycle route to the 9<sup>th</sup> Grade Center and downtown Winter Park...PBAB Winter Park



connections



## Sustainability Action Plan compliance

By supporting the elements of the Sustainability Action Plan for target years 2020 and 2030, the proposed Comstock Garden Circle and Market Trail helps Winter Park:

- *Increase the 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.*

This proposed initiative corresponds with the following “Highlights and Accomplishments to Date:”

- *Complete Streets Resolution stating all future city road projects be designed to accommodate all modes of transportation equally (passed 2011)*
  - **The proposed Market Trail supports bicycle and pedestrian circulation along New York Avenue and ultimately SR 426 Fairbanks Avenue.**
- *100% of all residents within half mile of public green space*
  - **The location of this proposed mini park allows residents to not be required to cross busy Pennsylvania and New York avenues to access Central Park (Community) and Hannibal Square (A community square) respectively, neither providing community gardening.**
- *Neighborhood Green Space Grants for Community Gardening and Native Landscaping (KWPB)*
  - **This proposed project is a candidate for these types of grants.**
- *Volunteer Environmental Cleanups and Tree Plantings*
  - **This proposed project is a candidate for these volunteer efforts.**
- *Tree City USA Designation*
  - **This proposed project will add .45 acres of trees to the equation.**



Basic definition of sustainability: “meeting the needs of the present without compromising the ability of future generations to meet their needs” (Brundtland Report, Our Common Future, 1987) and the **City of Winter Park’s definition**: “...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.”

### Project compliance with the City’s Sustainability Action Plan

	<b>Actions:</b> (If this project is approved...)
<b>Community Engagement and Green Economy (CEGE)</b> Pg. 10	<ul style="list-style-type: none"> <li>▪ 2015 – (3) Explore funding option for maintenance and upkeep of existing ...Community Gardens             <ul style="list-style-type: none"> <li>○ <b>This project will seek funding from local foundations from inception.</b></li> </ul> </li> <li>▪ 2015 – (4) Facilitate sustainability education workshops...             <ul style="list-style-type: none"> <li>○ <b>This project will implement Community Garden sustainability workshops with neighbors.</b></li> </ul> </li> <li>▪ 2015 – (5) Continue participation in America In Bloom...             <ul style="list-style-type: none"> <li>○ <b>This project will show forward progress to the selection committee for neighborhood community gardening and trail and environmental enhancement and stewardship from inception.]</b></li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>▪ 2015 – (6) <i>Continue volunteer opportunities including...gardening and invasive species removal.</i> <ul style="list-style-type: none"> <li>○ <b>This project will be available for regular volunteer opportunities.</b></li> </ul> </li> <li>▪ 2018 – (8) <i>Create and install Env. Ed. Opportunities at parks and green buildings.</i> <ul style="list-style-type: none"> <li>○ <b>This project is available and will seek grants to facilitate from inception.</b></li> </ul> </li> <li>▪ 2020 – (9) <i>(Program) Develop Green Neighborhood program...to support eco-friendly behavior.</i> <ul style="list-style-type: none"> <li>○ <b>This project will mentor eco-friendly behavior in the Hannibal Square Neighborhood from inception.</b></li> </ul> </li> </ul> <p>OTHER POTENTIAL ACTIONS:</p> <ul style="list-style-type: none"> <li>▪ <b><u>Objective (1) Communicate, educate and motivate</u></b> the low income and upper income neighbors who will naturally come together in a garden environment to improve Winter Park's quality of life supporting the Sustainability Action Plan.</li> <li>▪ <b><u>(1) OPEN HOUSE PRACTICE</u></b> – <b>This project will seek to embrace local neighbors and other visitors with a weekly open house every Saturday morning</b> where everyone can come in and be provided with surplus vegetables and volunteer or learn about the community garden. This practice will embrace all.</li> <li>▪ <b><u>(1) Seek a large local foundation's participation</u></b> (A neighbor to this West Comstock project) for engagement to assist with the funding and development of this public garden, park and trailhead, to become a "green partner."</li> <li>▪ <b><u>(2) Reduce city wide carbon footprint</u></b> from transportation and solid waste.</li> <li>▪ <b><u>(2) "Green Transit Corridor"</u></b> engages the Central Florida Rail Corridor/FDOT to join in establishing a green corridor a through Winter Park and the Region.</li> </ul>
<b>Waste Diversion &amp; Recycling (WDR)</b> Pg.13	<ul style="list-style-type: none"> <li>▪ 2016 – (5) <i>Promote composting case studies...</i> <ul style="list-style-type: none"> <li>○ <b>This project will qualify as a case study.</b></li> </ul> </li> <li>▪ 2018 – (8) <i>Increase recycling to all City owned facilities and parks.</i> <ul style="list-style-type: none"> <li>○ <b>This project will provide special events recycling location and signage.</b></li> </ul> </li> </ul> <p>OTHER POTENTIAL ACTIONS:</p> <ul style="list-style-type: none"> <li>▪ <b><u>Objective (1) Zero (0) net total organic wastes generated</u></b> from the garden <u>from inception</u> by using a composting recycling system.</li> <li>▪ <b><u>(2) Zero (0) net organic wastes removed to the landfill</u></b>, following an EA by the City (Environmental Assessment Phase 1) <u>from inception</u> reuse the existing gravel versus <i>hauling it to the landfill</i>. The proposed community garden activity is ideal for this with the incorporation of raised planters atop the gravel.</li> <li>▪ <b><u>(3) Reduce the greenhouse gas impacts from inception</u></b> by revegetating 50% of site with native species and bioswales. This same principle was used on the Rose Garden in Central Park though the species mix has changed over time.</li> </ul>
<b>Mobility &amp; Urban Form (MUF)</b> Pg. 17	<ul style="list-style-type: none"> <li>▪ 2016 (2) <i>(Project) Identify policies ...“Green Neighborhood Development;” community garden.</i> <ul style="list-style-type: none"> <li>○ <b>This project assists qualification for a Green Neighborhood Development</b> with a community garden and multiuse trailhead and trail.</li> </ul> </li> <li>▪ 2016 (4) <i>(Project) ... VMT Vehicle Miles Traveled and GHG Greenhouse Gas Emissions at select intersections.</i> <ul style="list-style-type: none"> <li>○ <b>The quicker access to LYNX and SunRail and Amtrak</b> for bicycle and pedestrian traffic generated by this project will reduce VMT at the Lyman-New York avenue intersection...This intersection is a CRA project underway.</li> <li>○ <b>This project reduces VMTs and GHG emissions since it is a ped-bike destination, and not a vehicular destination.</b></li> </ul> </li> <li>▪ 2017 (5) <i>(Project) Evaluate...</i> <ul style="list-style-type: none"> <li>○ <b>A neighborhood(s) SunRail access route, 9<sup>th</sup> Grade Center route</b>, and is a regionally important project to connect with the <b>Orlando Urban Trail</b> and eventually to <b>Maitland and Eatonville</b>.</li> </ul> </li> <li>▪ 2020 (13) <i>Enhance pedestrian and bicycle wayfinding.</i></li> </ul>

	<ul style="list-style-type: none"> <li>○ <b><u>This project will seek to integrate wayfinding at the earliest.</u></b> Many out of town visitors already use this route and are confused without direction.</li> </ul> <p>OTHER POTENTIAL ACTIONS:</p> <ul style="list-style-type: none"> <li>▪ <b>Create walkable and bikeable neighborhood(s)</b> with direct access to transit as a part of the developing City bicycle network, reinforcing the connection of Hannibal Square Neighborhood with Downtown Winter Park (Since 1882). This is a logical connector from Orwin Manor and the Mead Garden Neighborhood <u>via the Pennsylvania Trail</u>...</li> <li>▪ <b><u>Create enhanced visibility to regional and national transit</u></b> passengers and locals alike, seeing a beautiful park versus a blighted lot or more homes. This practice was initiated by Loring Chase, Charles Morse, and Robert Bruce Barbour (Casa Feliz).</li> </ul>
<b>Buildings, Energy and Water (BEW)</b> Pg. 23	<ul style="list-style-type: none"> <li>▪ <b><u>2017 (9) Develop a plan for converting streetlights and public space lighting to LEDs.</u></b> <ul style="list-style-type: none"> <li>○ <b>This project will comply from inception, and use solar energy, and downcast illumination to reduce atmospheric light pollution.</b></li> </ul> </li> <li>▪ <b><u>2018 (14) Develop policy and rebate...rain water reuse.</u></b> <ul style="list-style-type: none"> <li>○ <b>This project will comply and be a test bed for water reuse for irrigation purposes in public parks.</b> Use solar energy to transfer stormwater from below grade cisterns to trees and community garden beds.</li> <li>○ Work with the City for a <b>water cistern at the low point</b> (cul-de-sac at the inlet) to catch surface water and reuse for drip irrigating new trees. Also seek to collect <b>cleaner water in other ways</b> to reuse to irrigate the vegetables.</li> <li>○ <b>Consider an above grade water tank</b> to store water for the dry season.</li> </ul> </li> </ul>
<b>Natural Systems &amp; Resources (NSR)</b> <b>(Conservation)</b> Pg. 27	<ul style="list-style-type: none"> <li>▪ <b><u>2018 (2 and 4) (Project) Work towards establishing a Green Infrastructure Plan addressing stormwater with light impact development best management practices including Rain Gardens, Bioswales...</u></b> <ul style="list-style-type: none"> <li>○ <b>This Project integrates including Rain Gardens, Bioswales and more.</b></li> </ul> </li> <li>▪ <b><u>2020 (10) (Program) Continue to develop long term reforestation plan to increase tree canopy coverage.</u></b> <ul style="list-style-type: none"> <li>○ <b>This .45 acre site will be covered approximately 50% in native trees.</b></li> </ul> </li> </ul> <p>OTHER POTENTIAL ACTIONS:</p> <ul style="list-style-type: none"> <li>▪ <b><u>Natural Systems will be advanced by this project which is currently 100% gravel with potential contaminants.</u></b> Stormwater will be decreased as follows improving the ecology of the Howell Creek Watershed / the Chain of Lakes. <ul style="list-style-type: none"> <li>○ Bioswales filled with pollinator species will be integrated in strategic locations.</li> <li>○ <b>Flora will be 100% indigenous to Winter Park increasing fauna.</b> While community gardening will be a primary activity, the ecology of the site is a primary concern. We see this former landfill or materials yard as being rejuvenated by the bioswales and other indigenous areas around the site.</li> <li>○ <b>Fauna is an important consideration since parks are often ecological islands.</b> As well, <b>the existing 80' wide railway right of way can also be considered a State of Florida taxpayer resource and might be available for ecological enhancement.</b> A goal of this enhancement of both the railway right of way and this triangular project site: 1) increase pollinator species; 2) increase birdlife and the availability of this site for the fall and spring bird migrations; and 3) increase the trees to <b>decrease the urban heat impacts.</b></li> <li>○ <b><u>PRIORITY - The Railroad (CSXT</u></b> and former) had a side track which later evolved to Blake (cut through). It is not known what lies beneath the surface but it is known that when FDOT removed the asphalt of Blake, <b>they did not remove the limestone subbase material – an environmental issue at this point since there is zero percolation and excessive stormwater runoff.</b></li> <li>○ <b><u>CRITICAL: it is critical to resolve the ecology of this area</u></b> due to the previous “industrial type uses” and potential contaminants and other issues.</li> <li>○ <b>IT IS NOT RECOMMENDED A LOT BE SOLD UNTIL THESE SUBSURFACE CONDITIONS ARE SCIENTIFICLY DETERMINED.</b></li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>▪ <b>Other “Intrinsic Resources:” Scenic</b> – enhance views from the railway transit viewer; <b>Recreational</b> – enhance local walking and bicycling connectivity per the Pedestrian and Bicycle Connectivity Plan to and from downtown, and gardening as physical exercise; <b>Historic</b> – seek to interpret the “<i>Oldest and Longest Railroad in the State of Florida</i>,” <b>Cultural</b> – and interpret the African American culture (This Hannibal Square Neighborhood) connection to the Lake Monroe to Orlando Railroad train entities, and the current community garden and value of West Comstock Avenue.</li> </ul>
<b>Local Food &amp; Agriculture (LFA)</b> Pg. 29	<ul style="list-style-type: none"> <li>▪ <i>LFA1 % of Residents within ½ mile of local/healthful food.</i> <ul style="list-style-type: none"> <li>○ <b><u>This project meets this indicator for this portion of Hannibal Square.</u></b></li> </ul> </li> <li>▪ 2015 (1) (Policy) Participate in regional Food Policy Council.             <ul style="list-style-type: none"> <li>○ <b>This community garden can be represented.</b></li> </ul> </li> <li>▪ 2015 (2) (Project) Create a map identifying additional city-owned locations for edible landscaping.             <ul style="list-style-type: none"> <li>○ <b><u>This community garden qualifies as a highlight on the map and trail.</u></b></li> </ul> </li> <li>▪ 2016 (3) (Program) Continue Community Garden Projects via KWPB grant program.             <ul style="list-style-type: none"> <li>○ <b><u>This community garden effort needs this KWPB grant program.</u></b></li> </ul> </li> <li>▪ 2020 (5) (Policy) Explore residential, commercial, and public space urban agricultural design guidelines.             <ul style="list-style-type: none"> <li>○ <b>This park and community garden may be used as a model.</b></li> </ul> </li> <li>▪ 2020 (6) Pilot an urban farm.             <ul style="list-style-type: none"> <li>○ <b>This community garden can be another test model</b> to establish a “mentoring” track record of success to attempt a larger urban farm.</li> </ul> </li> </ul> <p>OTHER POTENTIAL ACTIONS:</p> <ul style="list-style-type: none"> <li>▪ <b>The MARKET TRAIL</b> will be located on the eastern edge of the triangle to increase connectivity of the ENTIRE CITYWIDE BICYCLE NETWORK with access by all. <u>This is the closest community garden to the WINTER PARK FARMER’S MARKET and in time there could be collaboration and economic opportunities.</u></li> <li>▪ <b>A community garden function</b> is proposed using primarily organic farm (Raised bed) best practices. Engage other local community garden participants in this activity.             <ul style="list-style-type: none"> <li>○ <b>None of the existing gravel</b>, which is potentially nutrient deficient and non-organic, will be used as a growing medium.</li> </ul> </li> <li>▪ <b>Focus on sustainable subsistence locally grown healthy foods</b> and the mentoring of and by residents to increase this.</li> </ul>
<b>Local Governmental Operations (LGO)</b> Pg. 31	<ul style="list-style-type: none"> <li>▪ 2018 (4) (Policy) Shift from potable to non-potable water resources for parks irrigation while increasing efficiency.             <ul style="list-style-type: none"> <li>○ <b>This project will reuse stormwater for the majority of irrigation.</b> Seasonal usage of potable water will be minor initially until the reuse system is in place.</li> </ul> </li> </ul> <p>OTHER POTENTIAL ACTIONS:</p> <ul style="list-style-type: none"> <li>▪ <b>Minimize local government operational requirements</b> for this site and activity             <ul style="list-style-type: none"> <li>○ <b>Reduce mowing</b> substantially, <b>control stormwater</b> on site as feasible, <u>use solar energy for lighting</u> as feasible, and more.</li> </ul> </li> <li>▪ <b>Use existing staff at the Community Center</b> to control fees and sign-ups.</li> </ul>





### Connectivity:

With two colleges, Rollins and Valencia, within a mile of this site and both having residents nearby (Due to many recent acquisitions this last decade) this site has many potential benefits regarding *education and partnerships and connectivity*.

And with so many commercial areas (Orange Avenue, West New England and Park Avenue) as neighbors, the *essentialness* of this “Blake” bicycle connection route (The Market Trail) is evident. The proposed Market Trail has many connection potentials for these entities, and for local business, employees and customers. And, the *regional* SunRail and the *national* Amtrak trains are nearby. Also, the residents of the Hannibal Square Neighborhood have been crossing at West Comstock Avenue for 125 + years but when SunRail came they/we did not formalize this crossing, why not? Where are the many residents and students and employees and all others to walk safely – **the Market Trail project proposes that *connectivity, sustainably* per the Commission approved Sustainability Action Plan.**

### CRA New York Avenue

The current CRA funded design project for New York Avenue ***is underway*** with the CRA consultant and a designated CRA Task Force managed by the Planning and Community Development Department. The Pedestrian and Bicycle Advisory Board are participants and are working on these connection potentials. This Market Trail route is on the City’s plan AND IS ESSENTIAL TO CIRCULATION. **The Comstock Garden Circle trailhead is proposed to facilitate that connection.** New York Avenue is constrained and needs any feasible *supplementary* bicycle route to and from downtown, the Market Trail.

The simple analogy,  $1 + 1 = 5$  portrays the many benefits of the Blake Yard site receiving consideration as a neighborhood mini park, (Public Quasi-Public), for a garden and trailhead.

Please think of this as if it might be in your neighborhood, where you live and care for loved ones and neighbors and others as we do, and how you might view your favorite small park nearby. We are proposing to enhance our neighborhood + our community. *We have removed the large crack house and drug/prostitution ring, the bike theft ring and have curbed commercial traffic impacts to a high degree.* Now we seek the small “mini park” as a means of bringing our long broken neighborhood together again. We seek this “Blake Yard” to assist in that effort, and to reverse its long-standing negative impact (Major utility truck and equipment traffic, etc.) to our neighborhood, and for this public land to now give something back to our neighbors. **We have no other viable options for parkland within a reasonable walking distance.** Thank you for any consideration and support and guidance you may provide. Forest





# city commission agenda item

Item type	Action Item Requiring Discussion	meeting date	April 11, 2016		
prepared by	Dori Stone	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning & Comm. Development		<input checked="" type="checkbox"/> City Attorney		
division			<input type="checkbox"/> N/A		
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life	<input type="checkbox"/> Fiscal Stewardship			
	<input checked="" type="checkbox"/> Intelligent Growth & Development	<input type="checkbox"/> Public Health & Safety			
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

## subject

Discuss proposed changes to Ordinance 3024-15, which amended Chapter 58, Article VIII – Historic Preservation in the city’s Land Development Code

## background

At the City Commission meeting on March 28, 2016, Commissioner Peter Weldon presented the City Commission with a memorandum outlining proposed changes to Ordinance 3024-15 that he wished to discuss and have the Commission consider as amendments to the adopted Ordinance. The City Commission agreed by consensus to review the changes and asked that the memo with his proposed changes be placed on the next City Commission agenda for discussion.

A copy of the memo from Commissioner Weldon to the City Commission is included as well as a copy of the adopted Ordinance 3024-15.

March 28, 2016

To: Fellow members of the Winter Park City Commission

From: Pete Weldon

I ask that we consider changes to the Historic Preservation ordinance.

Step one is to assure our homeowners that they determine that participation in a Historic District is appropriate for them. Our guiding principle should be that historic preservation is an important personal value system to be adopted voluntarily and recognized by the city. This can be accomplished by immediately changing a few aspects of the existing ordinance as proposed below.

Step two is to simplify the rules for those properties now voluntarily subject to Historic Preservation Board review so as to encourage, rather than compel, participation in historic preservation.

Step three is to provide incentives to encourage voluntary participation in Winter Park historic preservation with a focus on quality over quantity.

**Changes to Ordinance No. 3024-15 to have a first reading at the city commission meeting of April 11, 2016.**

**Modify** SEC. 58-433 (2) *[Intent: To codify that the policy of the city is to encourage historic preservation through voluntary means.]*

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

To: "It shall be the policy of the city to promote the educational, cultural, and economic welfare of the public by encouraging voluntary preservation and protection of historic structures, sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the city, state, or nation to achieve the following objectives: ..."

**Remove** SEC. 58-447 (6) *[Intent: All variances for properties listed on the Winter Park Register of Historic Places and within designated Historic Districts are to be pursued through the Board of Adjustment under its existing rules and procedures.]*

**Modify** SEC. 58-457 (2) (c) *[Intent: Restore two thirds voting requirement to form historic district.]*

Change: "Upon receipt of a favorable vote representing the ownership of fifty percent (50%) plus one of the properties within the nominated district..."

To: "Upon receipt of a favorable vote representing the ownership of two thirds of the properties within the nominated district..."

**Add** SEC. 58-457 (2) (e) *[Intent: Codify voluntary participation in Certificate of Review oversight.]*

Any ownership interest voting against inclusion of their property in a nominated district shall exempt the property from Certificate of Review oversight unless such property is listed on the Winter Park Register of Historic Places at the time of the vote, or is later added to the Register.

## **Issues proposed for study and recommendation by HPB.**

### **Master Site File, Contributing Property, Non-contributing Property.**

Study of our HP ordinance and practices revealed that we have no independent and professional judgment of historic significance. While the city engaged a consultant many years ago (1986?) to assess Winter Park properties for historic significance, the resulting list is now obsolete and, as well, includes properties included without independent or professional input. Further, until recently, few impacted property owners were aware they were on a list or understood the implications of being on a list.

There is a need to clarify the status of the State of Florida Master Site File. Research into this state maintained list indicates that anyone can submit a property for inclusion on the list and that the property owner is not informed of such inclusion, nor will requests by owners for removal from the list be honored. As such, although seemingly required to be maintained by the State as part of the Federal National Register program, there is nothing “official” about the list. There are no standards established for inclusion on the list other than a “resource” needs to be at least 50 years old, and there are no audits or controls managing the content of the list. The list is thus meaningless as to determination of historic significance.

Independent assessment by professionals with broad experience assessing properties for National Register status would seem to be a required starting point for compiling an updated list of Winter Park Historic Resources if Winter Park is going to pursue historic preservation.

There is a need to formalize the process for being added to the list of Winter Park Historic Resources. The process should require independent and professional judgment of historic significance. Determination of properties included on this list should require the written approval of the property owner, the HPB, and the city commission.

The language in the ordinance regarding “Contributing Properties” and “Non-contributing Properties” needs to be related to the process of being added to the list of Winter Park Historic Resources. Currently, it is not clear that all “Contributing Properties” and only “Contributing Properties” are to be included on the list of Winter Park Historic Resources. It is also unclear how the list of Winter Park Historic Resources relates to the HP ordinance. This needs to be sorted out.

The current open ended and arbitrary approach to making Certificate of Review determinations needs to be limited in scope if we are to encourage more voluntary participation. For example, limiting the review requirement to street facing façade could be expected to significantly reduce the risk and uncertainty to agreeing to join a Historic District. Another issue to address as to appropriate regulatory oversight is historic classification; National Register property, Winter Park Register property, contributing property, non-contributing property.

### **Incentives to encourage voluntary historic designation.**

The policy goal should be to encourage owners of the most historically significant properties in Winter Park to voluntarily apply for listing on the Winter Park Register of Historic Places.

One place to start implementing this priority is to help owners apply for National Register status and then to provide a small level of city support for maintaining such properties when National Register status is granted. Alternatives include using city funds to engage consultants to prepare and apply for National Register status with the owner’s permission, and if National Register status is granted, to accrue a small annual maintenance fund for each such property as evidence of community support for the owner’s commitment to historic preservation (such funds to be at level of recognition, not subsidy).

Currently, the city pays for historic plaques for homes volunteering for the Winter Park Register, but does not provide any recognition for contributing properties within historic districts. Such recognition may be appropriate where owners agree to “Contributing” status and/or agree to Certificate of Review for exterior changes as part of a Historic District.

HPB may be asked to re-study the opportunities for community recognition of property owners who volunteer their property for historic preservation, to assess the above ideas as well as provide the commission with evidence of community recognition from other jurisdictions.



**ORDINANCE NO. 3024-15**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE VIII, "HISTORIC PRESERVATION" TO PROVIDE CLARITY, IMPROVE THE FUNCTIONALITY, AND REVISE THE PROCESS AND PROCEDURES FOR THE HISTORIC PRESERVATION BOARD AND STAFF, THE DESIGNATION OF HISTORIC LANDMARKS, HISTORIC RESOURCES AND HISTORIC DISTRICTS, THE REGULATION, ADMINISTRATION AND ENFORCEMENT CONCERNING SUCH DESIGNATED LANDMARKS, RESOURCES AND DISTRICTS, AND THE CERTIFICATE OF REVIEW PROCESS; CREATING PROCEDURES FOR THE DEMOLITION OF PROPERTIES IDENTIFIED IN THE FLORIDA MASTER SITE FILE AND HISTORIC SURVEY; AMENDING PROVISIONS REGARDING TAX EXEMPTIONS FOR HISTORIC PROPERTIES; PROVIDING FOR SEVERABILITY, CODIFICATION, CONFLICTS AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Winter Park, Florida ("City"), recognizes that the City has within its jurisdiction a significant number of historic resources, structures and properties; and

**WHEREAS**, the City Commission recognizes that the identification, protection, enhancement and use of such resources provides a public purpose; and

**WHEREAS**, the City Commission recognizes that these historic resources, structures and properties constitute valuable assets that contribute to the charm and appeal of the City and create a unique environment for both residential and commercial pursuits, thereby providing significant and substantial economic benefit to the City; and

**WHEREAS**, the City Commission wishes to take advantage of all state and federal policies and programs for assistance and grants for the study, preservation, rehabilitation or restoration of historic buildings, districts and sites for the benefit of the public: and

**WHEREAS**, the City Commission desires that more property owners seek voluntary designation of their properties as historic landmarks or historic resources; and

**WHEREAS**, the City Commission desires that more property owners in areas with a concentration of historic landmarks or historic resources, seek designation of their areas as historic districts, through the use of the procedures set forth herein; and

**WHEREAS**, the City Commission desires to implement additional economic incentives to encourage owners of historic structures to seek voluntary designation of such structures as historic landmarks or historic properties, or designation of their neighborhoods as historic districts; and

**WHEREAS**, the regulations herein are consistent with the City's Comprehensive Plan; and

**WHEREAS**, the City Commission desires to encourage the preservation and restoration of the City's historic resources, structures and properties for the benefit of the public:

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

**SECTION 1.** That Chapter 58 "Land Development Code", Article VIII "Historic Preservation" of the Code of Ordinances is hereby amended and modified as shown in Exhibit A (ATTACHED).

**SECTION 2 - 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 3 - CODIFICATION.** It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to correct scriveners' errors, such as incorrect code cross references, grammatical, typographical and similar or like errors when codifying this Ordinance.

**SECTION 4 - CONFLICTS.** All ordinances or portions or ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

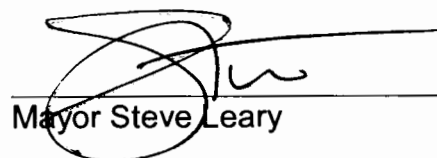
**SECTION 5 – EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its final passage and adoption.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this 14<sup>th</sup> day of December, 2015.

Attest:



City Clerk Cynthia Bonham

  
Mayor Steve Leary

## EXHIBIT A

### ARTICLE VIII. - HISTORIC PRESERVATION

#### FOOTNOTE(S):

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**Editor's note**— Ord. No. 2688-06, § 1, adopted Oct. 9, 2006, amended Art. VIII in its entirety to read as herein set out. At the editor's discretion, the provisions of Ord. No. 2675-06 have been renumbered to preserve the style of this Code and the original section numbers have been included in the history notes for future reference. Former Art. VIII, §§ 58-433—58-459, 58-463—58-470, 58-476—58-482, pertained to similar subject matter, and derived from Ord. No. 2425-01, § 1, adopted June 28, 2001; Ord. No. 2446-01, § 1, adopted Nov. 13, 2001.

#### DIVISION 1. – GENERALLY

Sec. 58-433. - Short title; intent and purpose.

(a) *Short title.* This article shall be cited as the Winter Park Historic Preservation Code.

(b) *Intent and purpose*

(1) The purpose of these regulations is to establish the framework for a comprehensive historic preservation program in the city.

(2) ~~It is shall be the policy of the city to promote the educational, cultural, and economic welfare of the public by preserving and protecting historic structures, sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the city, state, or nation. Furthermore, it is the purpose of this article to strengthen the economy of the city by stabilizing and improving property values in historic areas, and to encourage new buildings and development that will be harmonious with existing historic buildings and districts.~~ to achieve the following objectives:

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

(3) In addition, the provisions of this article will assist the city and private property owners to be eligible for federal tax incentives, federal and state grant funds, property tax abatement, and any other incentive programs for the purpose of furthering historic preservation activities.

(Ord. No. 2688-06, § 1, Exh. A (58-433), 10-9-6)

Sec. 58-434. - Definitions.

The following words, terms and phrases, as used in this article, shall have the meanings set forth below except where the context clearly indicates a different meaning.

*Addition* means a construction project physically connected to the exterior of an historic building or that increases the gross floor area of the building.

*Administrative review* means the process by which the planning and community development director or his/her designee may approve, approve with conditions, or deny certain types of permit applications for alterations or additions allowed by the HPB and based upon the standards in section 58-469 to an individually designated property or property located in a designated historic district.

*Alteration* means any change affecting the exterior appearance of an existing structure or improvement by additions, reconstruction, remodeling, maintenance or structural changes involving exterior changes in form, texture, materials or color, or any such changes in appearance in a designated historic property or specially designated historic site, or district. In designated local historic districts, alterations shall be in keeping with the design guidelines established for the district per section 58-457(2) (b) (5).

*Applicant* means ~~an individual or group,~~ a property owner or owners who provides(s) sufficient written information to the city to ascertain that their property potentially meets the minimum eligibility requirements for local historic designation, or who is applying for a certificate of review.

*Archaeological site* means a single specific location that has yielded, or based on previous research is likely to yield, information on local history or prehistory.

*Certificate of review* means a written document approved the approval process by the Winter Park Historic Preservation Commission ~~Board~~ allowing an applicant to proceed with approved exterior alterations, additions, relocation, new construction, or demolition of, or other work to, a designated historic landmark building, historic resource, historic landmark site or property in a historic district, following a determination of the proposal's suitability to applicable criteria.

- ~~(1) Standard certificate of review: Those certificates based upon such specific guidelines and standards as may be recommended by the Historic Preservation Board for which administrative issuance, by the city, has been authorized upon findings that proposed actions are in accord with such official guidelines and standards.~~
- ~~(2) Special certificate of review: Those certificates involving the demolition, removal, reconstruction, exterior alteration or new construction, which require determination by the Historic Preservation Board during a public hearing before such certificate can be issued.~~

*City* means the City of Winter Park.

*Contributing element (or contributing)* means a building or structure that contributes to the historic significance of a district, which by location, design, setting, materials, workmanship, feeling, and/or association adds to the district's sense of time, place and historic development.

*Demolition* means an act or process that destroys or razes, in whole or in part, a building structure or site, including a building within a district, or which permanently impairs its structural integrity.

*Designated property (or designated properties)* means a property or properties that have been designated as historic landmark(s) or historic resource(s) under Division 3 of this Article VIII.

*Florida Master Site File* means the State of Florida's official inventory of historical and cultural resources. Categories of resources recorded at the Site File include archaeological sites, historical structures, historical cemeteries, historical bridges and historic districts. The Site File also maintains copies of archaeological and historical survey reports and other manuscripts relevant to history and

historic preservation in Florida.

*Historic district* means a geographically defined area possessing a significant concentration, linkage, or continuity of landmarks, resources, improvements, or landscape features united by historic events or aesthetically by plan or physical development, and which area has been designated as an historic district pursuant to procedures described in this article. Such district may have within its boundaries noncontributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks or resources, nevertheless contribute to the overall visual character of the district.

~~*Historic landmark or resource* means any prehistoric or historic site, building, structure, landscape feature, improvement, or archaeological site which has been designated as an historic landmark or resource pursuant to procedures described in this article. that is of historical, architectural or archaeological value.~~

*Historic landmark* means buildings, structures, or sites of specific and exceptional historic or aesthetic significance to the city, state or nation. Historic landmarks may be associated with historic personages or events or embody exceptional architecture, or may be the work of a master designer or architect.

*Historic Preservation Commission (HPC) Board (HPB)* means the City of Winter Park Historic Preservation Commission Board as created by sections 58-441 and 58-442 58-445 and 58-446.

*Historic resource* means any prehistoric or historic site, building, structure, landscape feature, improvement, or archaeological site that is of historical, architectural or archaeological value.

*Historic survey* means the results of a systematic process of identifying determined by the Historic Preservation Board to identify significant buildings, sites and structures through visual reconnaissance and research for compilation in the Florida Master Site File maintained by the Bureau of Historic Resources in Tallahassee, Florida.

*Improvement* means any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, fountain, sign, work of art, earthworks, or other manmade object constituting a physical betterment of real property or any part of such betterment.

~~*Multiple property nomination* means a group of related significant properties that share common themes, and are organized by historic contexts and property types.~~

*National Register of Historic Places* means a federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966, as amended.

*Non-contributing element (or non-contributing)* means a building or structure located within the boundaries of a historic property or district that does not contribute to the historic significance of the district or property by virtue of its age, location, design, setting, materials, workmanship, feeling, and/or association.

*Ordinary repairs and maintenance* means any:

- (1) Work done on any improvement, which does not involve a change of design, appearance or material.
- (2) Replacement of any part of an improvement where the purpose and effect of such work or replacement is to correct any deterioration, decay of, or damage to such improvement or any part thereof and to restore the same as nearly as may be practicable to its condition prior to the occurrence of such deterioration, decay or damage.

*Property* means land and the buildings and improvements on it.

*Property owner* means the individual or entity in possession of title for land and the buildings and improvements on it. Any person or entity claiming to be a property owner shall provide the city with

proof of such ownership interest.

*Reconstruction* means the process of reproducing, by new construction, the exact form and detail of a demolished building, structure or object as it appeared at a certain point in time.

*Rehabilitation* means the process of repairing or altering a historic building so that an efficient contemporary use is achieved, while preserving those significant historical, architectural or cultural features that establish the character of the property.

*Relocation* means the act of preserving a historic structure, which cannot remain on its existing site, by physically moving it to a new location.

*Renovation* means the act of making changes and repairs so that a historic structure is back in good condition.

*Restoration* means the act of accurately recovering the form and details of a property as it appeared at a particular period of time, which may involve the removal of later additions or alterations, or the replacement of missing features.

*Standards for Rehabilitation (36 CFR 67) as periodically revised in 1990* means the standards provided by the National Park Service and the Secretary of the Interior that provide guidance on the sensitive rehabilitation of

a historic property. The standards generally address issues that include; character defining elements; changes which have occurred over the course of the property's history; desirable approaches to the repair of damaged features; appropriate cleaning methods; archaeological resources; and new construction in connection with a historic property.

(Ord. No. 2688-06, § 1, Exh. A (58-434), 10-9-06)

Sec. 58-435. - Relationship to zoning districts.

These regulations are intended to provide the framework to preserve and protect historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, parks, residential neighborhoods and commercial districts. These regulations are intended to act as an overlay to existing zoning designations. Zoning amendments may be applied to designated historic structures, districts, and sites with such actions and procedures as otherwise provided for in this chapter.

(Ord. No. 2688-06, § 1, Exh. A (58-435), 10-9-06)

Secs. 58-436—58-440. - Reserved.

FOOTNOTE(S):

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**Editor's note**— Ord. No. 2843-11, § 3.b.A, adopted June 13, 2011, amended Div. 2 in its entirety to read as set out herein. Former Div. 2, §§ 58-441—58-446, pertained to historic preservation commission and derived from Ord. No. 2688-06, § 1, Exh. A (58-437—58-441), adopted Oct. 9, 2006.

DIVISION 2. - HISTORIC PRESERVATION BOARD

Secs. 58-441—58-444. - Reserved.

Sec. 58-445. - Establishment of historic preservation board.



There is hereby established pursuant to sections 2-46 through 2-49 and section 2-59, a historic preservation board (HPB). This board shall operate and be controlled pursuant to the provisions in sections 2-46 through 2-49 and section 2-59.

(Ord. No. 2843-11, § 3.b.A., 6-13-11; Memo of 2-22-12(Att. 3.b.A.))

Sec. 58-446. Qualifications.

Members of the HPB shall have demonstrated civic pride, interest in historic preservation and the knowledge, experience and mature judgment to act in the public interest to make informed and equitable decisions concerning the conservation of historic resources. The board shall be comprised of seven (7) members and one (1) alternate.

- a. One member shall be a licensed architect; and
- b. One member versed in local history; and
- c. One member who owns or lives in a designated resource or district.

Sec. 58-4467 - Functions, powers and duties of the historic preservation board.

The HPB historic preservation board shall be responsible for the development and administration of a comprehensive historic preservation program, and shall identify and maintain the city's historic resources for the benefit of both present and future residents. It shall be the responsibility of the HPB to:

- (1) Provide or recommend incentives for historic preservation, and to recommend for or against rezonings, demolitions, developments, lot splits, lot consolidations, or conditional uses that could impact historic resources identified in the Florida Master Site File survey of the City of Winter Park.
- (2) Identify potential historic landmarks, historic resources and potential historic districts for designation; and provide assistance to, and education of, owners of properties for potential designation;
- (3) Develop and maintain a local register of historic places and review National Register of Historic Places nominations within the city;
- (4) Develop guidelines based upon the Secretary of the Interior's Guidelines Standards for Use in reviewing applications for certificates of review. The Secretary of the Interior's Standards for Rehabilitation as periodically revised in 1990 will be used until local guidelines are developed and adopted by the HPB;
- (5) Review applications for certificates of review for individually designated landmarks and, resources, and contributing and non-contributing properties within designated districts, city-owned historic properties and sites, and historic properties for which the city has received a façade or preservation easement;
- (6) Approve variances that are appropriate for the preservation of historic resources in conjunction with applications for certificates of review;
- (7) Conduct an ongoing survey and inventory of historically, culturally or architecturally significant buildings, structures, districts and archaeological sites within the city; coordinate survey results with the Florida Master Site File; and plan for resource preservation with the aid of staff and consultants with professional expertise as may be necessary;
- (8) Develop programs to stimulate public interest and involvement in the city's history and preservation, and inform the public of the city's preservation opportunities and the HPB's activities;
- (9) Cooperate with and advise local, state and federal governments on preservation activities;

- (10) Attend relevant educational meetings, workshops and conferences;
  - (11) Adopt rules of procedure, which shall be reviewed annually and which shall be available for public inspection; and
  - (12) Perform any other function that may be designated by the city commission.
- (Ord. No. 2843-11, § 3.c.A., 6-13-11; Memo of 2-22-12(Att. 3.b.A.))

Secs. 58-447—58-455. - Reserved.

### DIVISION 3. - DESIGNATION OF HISTORIC LANDMARKS, RESOURCES OR DISTRICTS

#### Sec. 58-456. - Designation criteria.

In order to qualify as a local historic landmark, resource or district, properties must have character, interest or value as part of the historical, cultural, archaeological, aesthetic or architectural heritage of the city, state or nation. ~~For a multiple property nomination, eligibility may be based on the establishment of historic contexts or themes that describe the historical relationship of the properties.~~ be in keeping with the intent and purpose of the Winter Park Historic Preservation Code as set forth in Section 58-433, herein and ~~be based on the establishment of historic contexts or themes that describe the historical relationship of the properties.~~ The eligibility of any potential historic landmark, resource or district shall be supported by meeting one or more applicable criteria based upon the National Register of Historic Places guidelines criteria for evaluation at the local, state or national level. Properties must be at least 50 years old to be eligible for designation unless they are of exceptional importance.

- (1) The criteria for the designation of historic landmarks and historic resources are as follows:
  - a. A quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and associations; and
  - b. ~~That are associated with events that have made a significant contribution to the broad patterns of our history; or~~
  - c. ~~That are associated with the lives of persons significant in our past; or~~
  - d. ~~That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or~~
  - e. ~~That have yielded, or may be likely to yield, information important in prehistory or history.~~
- b. At least one of the following:
  - i. That are associated with events that have made a significant contribution to the broad patterns of our history; or
  - ii. That are associated with the lives of persons significant in our past; or
  - iii. That embody the distinctive characteristics of a type, period, or method of construction; or
  - iv. That represent the work of a master; or
  - v. That possess high artistic values; or
  - vi. That represent a significant and distinguishable entity whose

- components may lack individual distinction; or
- vii. Those have yielded, or may be likely to yield, information important in prehistory or history.

(2) Historic districts must meet the criteria of Section 58-456 (1) a. and ~~one~~ two or more of the National Register criteria in section 58-456 (1) b. at the local, state or national level. A district shall possess a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

- a. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the historic environment or be an arrangement of historically or functionally related properties. ~~A significant concentration may be represented by 60 percent of the sites, buildings, structures or objects that contribute to the historic context of the district. At least 50 percent of the sites, buildings, structures or objects in a historic district must meet two or more of the National Register of Historic Places criteria at the local, state or national level.~~
- b. A district must contain a minimum of twelve (12) properties. A district must be a definable geographic area of contiguous properties and, where possible, should cover both sides of any street or comprise all the properties in any cul-de-sac or similar area that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects, or by documented differences in patterns of historic development or associations, and generally follow the technical guidelines for selecting boundaries used by the National Register of Historic Places. The boundaries must be based upon a shared relationship among the properties constituting the district and represent the area which completed the process described in Section 58-457(2). The boundaries should be defined by utilizing the parcels and lots as shown on the Orange County Property Appraiser's maps.
- c. If the nomination for designation of a particular district pursuant to Section 58-457(2) below is unsuccessful, no district nomination including the selected area shall be presented for nomination for at least three (3) years after the date the city notifies the proposed district's residents that the nomination has been unsuccessful.

(Ord. No. 2688-06, § 1, Exh. A (58-442), 10-9-06)

#### Sec. 58-457. - Designation procedures.

Winter Park historic landmarks, resources and districts shall be designated only as provided in this section. Properties, which meet the criteria for designation as set forth in section 58-456, shall be designated according to the following procedures:

##### (1) *Designation of local historic landmarks and resources.*

- a. Recommendations for nomination for designation of individual local historic landmarks and resources may be submitted to the planning and community development department by the property owner(s), the HPC, or ~~a city commission member who believes(s) that the property meets the criteria for listing as set forth in section 58-456.~~ The property owner shall provide to the city proof of current fee simple ownership of the property being nominated. The proposal shall include a legal description or address of the property, a brief statement regarding its historic, cultural, aesthetic or architectural significance, and must include written authorization by the property owner(s).-A

~~recommendation for nomination that does not include the property owner(s) authorization shall not proceed.~~

- ~~b. Every proposed historic landmark or resource shall have a historic designation report prepared by the city that shall be presented to the HPC at a regularly scheduled meeting. Prior to consideration of designation, the city shall first determine if the property sought to be designated meets the criteria for designation. If so, the city shall prepare a historic designation report that shall be presented to the HPB at a regularly scheduled meeting.~~
- c. For each proposed designation of a historic landmark or resource, the City is responsible for mailing a notice of public hearing to all property owners of record on the latest Orange County tax roll within a 500-foot radius of the proposed landmark or resource at least 15 days prior to the public hearing held pursuant to this section, however failure to receive such notice shall not invalidate the same as such notice shall also be given by publishing a copy thereof in a newspaper of general circulation in the city and county at least 15 days prior to the hearing.

## *(2) Local historic districts.*

- a. Nominations for designation of historic districts may be submitted to the planning and community development department by petition from 20 percent of the proposed district property owners, at least half of whom shall be owners of individually designated historic homes in the proposed district, or owners of contributing homes in the proposed district by any member of the HPC, or by a city commission member, who believes that the district meets the criteria for listing as set forth in section 58-456. The nomination proposal shall include a description of the proposed boundaries of the district, and a brief statement explaining setting forth: (i) that at least 50% of the homes in the proposed district are individually designated historic homes or contributing homes; (ii) explaining its historic, cultural, aesthetic or architectural significance, (iii) the specific National Register of Historic Places criteria (two or more) that apply to the proposed district; and (iv) including a the required petition representing the ownership of at least 20 percent of the properties within the proposed district as described above. Designation of historic districts shall only be considered by the HPCB subsequent to meetings with district property owners and actions as described in subsections b. and c. below.
- b. Prior to consideration of designation by the HPCB, the city shall facilitate conferences with the property owners within the nominated district to discuss the following: first determine if the proposed district meets the criteria for designation as set forth in the petition. If so, the city shall then prepare a historic designation report which shall analyze and report upon: 1) the historic designation report (2) proposed boundaries, 3) 2) contributing and non-contributing buildings and elements, 3) district goals, 4) design guidelines to include district alteration criteria, and 5) results effects of designation and 6) available incentives. The city shall then mail the report and other necessary information to each property owner of record to notify them of the initial interest in establishing a historic district, the effects of establishing a historic district, and a schedule of informational meetings for owners and interested parties. The schedule of informational meetings will also be published in a newspaper of general circulation and posted on the city's web site. The city shall then facilitate conferences with property owners within the nominated district to discuss the proposed district. The city shall have 90 days to complete these requirements.
- c. After informational meetings have concluded, the city will mail a summarized final historic designation report to every property owner of record in the nominated district as of that date. The report will describe the voting process including a 14 day deadline to respond. The final report, voting process and deadline will also be posted on the

city's web site. Property owners of record will be polled, with each property representing one vote. If a property is jointly owned by two or more persons or entities, all such persons or entities having an ownership interest in that property must agree in order to cast a vote in favor of creating the nominated district. Upon receipt of a favorable vote representing the ownership of two-thirds fifty percent (50%) plus one of the properties within the nominated proposed district, a historic designation report shall be forwarded to the HPCB recommending approval or disapproval of the nominated area as a historic district based upon the vote received and citing any other specific criteria for the decision. A historic district that is commemorative in nature only and whose designation report does not require design review will not require a vote of the property owners, but shall require a public hearing as described in section 58-457(2) d.

- d. The nominated historic district shall have a historic designation report that shall be presented to the HPCB at a regularly scheduled meeting. The designation report shall include the historic context, proposed boundaries, contributing and non-contributing elements, a staff recommendation and the results of listing which may include guidelines for review, and appropriate incentives. For each proposed designation of a historic district, the city is responsible for mailing a notice of public hearing to all property owners of record whose property is located within the boundary of the designation 15 days prior to the public hearing held pursuant to this section, however failure to receive such notice shall not invalidate the same as such notice shall also be given by publishing a copy thereof in a newspaper of general circulation in the city and county at least 15 days prior to the hearing.
- (3) Decision of the HPB historic preservation commission. If, after a public hearing, the HPCB finds that the proposed local historic landmark, resource or district meets the criteria set forth in section 58-456, it shall transmit such findings to the city commission along with the recommendation that the designation be approved. The historic landmark or, resource or district, shall only be recorded in the Winter Park Register of Historic Places following adoption of a resolution of the city commission approving such designation. The designation of a historic district shall only be created following the adoption of an ordinance of the city commission approving such designation. The city commission shall have final decision making authority over whether to approve or deny any request for designation under this division.
  - (4) The city commission shall further direct staff to notify the following of the action with a A copy of the resolution(s) designating the historic landmark, resource or district and the adopted guidelines for review shall be sent to:
    - Planning and Community Development Department  
(all divisions)
    - Building and Permitting Services Department
    - Code Compliance Division
    - City Clerk
    - Public Works Department
    - Owners of the affected property and other parties having an interest in the property, if known
  - (5) Following the published date of a public hearing before the HPCB, no permits shall be issued by the Building and Permitting Services Department, except for permits that do not require the review of the HPCB, for any new construction, exterior alterations, rehabilitation, restoration, renovation, addition, relocation, moving, or demolition of the real property that is the subject matter



of the recommendation, until one of the following has occurred:

- The historic designation is enacted and a certificate of review is issued under the provisions of division 4; or
  - The historic designation is denied by the city commission; or
  - The property owner has applied for an accelerated approval of a certificate of review prior to final enactment of the historic designation; and such certificate of review has been issued under the provision of section 58-473, and the property owner has voluntarily proffered a covenant binding him to comply with all terms and conditions of the certificate of review which will cease to be effective should the city commission deny the historic designation.
- (6) Historic landmarks, resources or districts shall be formed as a ~~special~~ an overlay, which shall be placed over the existing zoning. The regulations and procedures for both the zoning district and the historic landmark, resource or district regulations shall apply.
- (7) Should the city commission deny a request for historic district designation, the city shall notify all property owners within the proposed district by mail of the decision and contemporaneously post the notice of the decision on the city web site.

(Ord. No. 2688-06, § 1, Exh. A (58-443), 10-9-06)

Secs. 58-458—58-465. - Reserved.

#### DIVISION 4. - CERTIFICATE OF REVIEW

Sec. 58-466. - Purpose.

The purpose of the certificate of review process is to assist owners of historical landmarks or resources and owners in historic districts, ~~in accordance with design guidelines,~~ who plan to rehabilitate, restore or redevelop their property for contemporary use to achieve their goals and take advantage of incentive programs while preserving the historic character, architecture and materials, to the greatest extent possible.

(Ord. No. 2688-06, § 1, Exh. A (Div. IV), 10-9-06)

Sec. 58-467. - Pre-application conference.

Before entering binding commitments or incurring substantial expense in the preparation of plans, surveys and other data, and before submitting an application for a certificate of review, an applicant shall confer with the city HPB staff to obtain information and guidance. The purpose of such conference is to further discuss and clarify conservation objectives and design guidelines in cases that do not conform to established objectives and the Land Development Code guidelines. In no case shall any statement or representation made prior to the official application review be binding on the HPCB, the city commission or any city departments.

(Ord. No. 2688-06, § 1, Exh. A (58-444), 10-9-06)

Sec. 58-468. - Review requirement.

The HPCB shall review and render a decision during an advertised public hearing on applications for special certificates of review for any proposed exterior alterations, rehabilitation, restoration,

renovation, or addition, or any proposed new construction, demolitions, or relocations of: (i) designated historic landmarks; (ii) historic resources; (iii) contributing and noncontributing resources within historic districts; (iv) city-owned historic properties and sites; and (v) historic properties for which the city has received a façade or preservation easement in keeping with the applicable design guidelines. Provided however, the HPB shall not have the authority to review and render a decision on interior alterations to structures that do not affect the exterior or structural integrity of the structure. ~~The HPB shall review and render a decision on all applications for special certificates of review for any proposed exterior alterations, demolitions, new construction or relocations within the boundaries of designated historic districts.~~ The HPCB may approve, approve with conditions recommendations, or deny an application. For reconstructed buildings that have been permitted pursuant to section 58-4802, the provisions of this section shall still apply.

(Ord. No. 2688-06, § 1, Exh. A (58-445), 10-9-06)

Sec. 58-469. - Guidelines for review.

~~In adopting guidelines for review,~~ It shall be the intent of the HPCB to preserve the exterior historic characteristics of the landmark, resource or district, and to promote maintenance, restoration, adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites, and streetscapes. Guidelines shall also serve as criteria for staff to make decisions, as permitted by the HPCB, regarding applications for standard administrative certificates of review.

- (1) The U.S. Secretary of the Interior's Standards for Rehabilitation as periodically revised in 1990 are generally the standards and guidelines by which applications for any certificate of review for historic buildings, sites, or districts are to be measured and evaluated. The HPCB may recommend additional standards to preserve and protect special features unique to the city or may recommend amending any existing guidelines to the city commission.
- (2) Variances to achieve the design review standards for historic preservation may be granted from the land development code requirements as may be appropriate to achieve the design review standards for historic preservation for the purposes of this ordinance, provided the variance does not negatively affect the character of the area and with good cause shown. These variances may include those for building height, side, rear and front setbacks, building coverage, floor area ratio, impervious coverage, storm water retention, and walls and fences. Building code exemptions may be granted subject to the guidelines of the Florida Building Code for qualified historic buildings or structures. Additional information to justify variances and exemptions may be needed.
  - a. When a variance or exception is considered, the application shall comply with the notice standards listed in subsection 58-88(c)(2) 58-89(c)(2).
  - b. All variance requests through the HPCB design certificate of review process shall be limited to properties with individual landmark, resource or historic district designation. This landmark, resource or district designation must be completed before issuance of a building permit for the work that requires a variance.
  - c. The appeal of a decision to grant or deny a variance by any person aggrieved by the decision of the HPCB shall be taken to the city commission after following the notice criteria of subsection 58-88(c)(1) 58-89(c)(2) if filed within 15 days of the date of the decision by the HPCB.
- (3) The HPCB may also allow garage apartments or accessory cottages to be determined to be conforming uses on designated historic landmarks or resources, or ~~to~~ on properties in a designated historic district.
  - a. Historic designation must be completed before the issuance of a building permit or approval for the construction, re-establishment or construction of a new garage apartment or accessory cottage.

- b. Building setbacks shall be determined by the HPCB, however no garage apartment or accessory cottage shall be closer than five feet to a rear or side line, unless such setback currently exists, or may be in a required front setback.
  - c. It is desirable that garage apartments or accessory cottages not exceed 750 square feet of living area. The HPB may reduce or enlarge this square foot limitation depending on the configuration or size of the property; provided, however, Garage apartments or accessory cottages shall not exceed 1,000 square feet in size.
  - d. Conversion of any existing garage space shall not be allowed, but an existing garage may be enlarged in height or ground area to accommodate the garage apartment. Garage apartments or accessory cottages may utilize a separate electric meter and utility connections contingent upon meeting the parking requirements for an accessory dwelling unit.
  - e. Tenants must be provided on-site parking space(s) behind the front setback of the principal residence. All required parking spaces must be accessed independently and shall not require moving any vehicle to allow another vehicle to enter or exit from the property. All vehicles shall be parked on-site in spaces conforming to setbacks so that no regular daytime or overnight parking occurs on city streets. Violation of these terms and conditions may result in enforcement action by Code Compliance. ~~Will be deemed sufficient grounds for the code enforcement board to order the discontinuation of the garage apartment or accessory cottage as a secondary living unit along with other penalties and remedies at their discretion~~
  - (4) Each designated historic district may adopt specific district guidelines for design review based upon the U.S. Secretary of the Interior's Standards for Rehabilitation as periodically ~~revised in 1990~~ subject to final approval by the HPCB
  - (5) Local guidelines for design review may be adopted based upon the U.S. Secretary of the Interior's Standards for Rehabilitation as periodically ~~revised in 1990~~.
- (Ord. No. 2688-06, § 1, Exh. A (58-446), 10-9-06)

#### Sec. 58-470. - Forms.

Applications for certificates of review will be made on forms approved and provided by the HPCB. ~~historic preservation commission.~~

(Ord. No. 2688-06, § 1, Exh. A (58-447), 10-9-06)

#### Sec. 58-471. - Delegation of review authority.

The planning and community development director or his/her designee may approve, approve with conditions, or deny certain types of permit applications for alterations or additions allowed by the HPB and based upon the standards in Section 58-469 to an individually designated property or property located in a designated historic district. The planning and community development director or his/her designee is not required to grant this administrative review and may require review by the HPB. Further, the HPCB may delegate the authority to the planning and community development director or his/her designee appropriate staff members to review and grant standard administrative certificates of review without referral to the HPCB and without a public hearing in the case of certain types of applications, which the HPCB shall determine in advance. If the applicant wishes to appeal planning and community development director's or his/her designee's decision, a complete certificate of review application for the project will then be placed on the HPB agenda.

(Ord. No. 2688-06, § 1, Exh. A (58-448), 10-9-06)

**Sec. 58-472. - Administrative review. Standard certificates.**

Based upon the standards for rehabilitation, the designation report, a complete application for a building permit standard certificates of review, and any additional plans, drawings or photographs to fully describe the proposed alteration, the city shall within 15 business days from the date a complete application has been filed, approve, approve with conditions or deny the application for a standard certificate of administrative review prior to the issuance of a building permit. The decision shall be based upon the standards in section 58-469(1). The findings of the city shall be mailed to the applicant within three days of the city's decision accompanied by a statement in full regarding the decision unless delivered in person. The applicant shall have an opportunity to challenge the decision to deny the application by applying for a special certificate of review within 15 days of the findings.

(Ord. No. 2688-06, § 1, Exh. A (58-449), 10-9-06)

**Sec. 58-473. - Special Certificates of Review.**

- (a) An applicant for a special certificate of review whether for new construction, exterior alteration, addition, rehabilitation, restoration, renovation, addition, moving or demolition, or relocation shall submit an application to the HPCB accompanied by photographs, elevations, site plans, floor plans, and samples of materials as deemed appropriate by the HPCB to fully describe the proposed appearance, materials and architectural design of the building(s), other outbuildings and site plan. The application shall include floor area ratio, impervious lot coverage and height and setback calculations as well as landscape and hardscape plans if applicable. The applicant shall provide adequate information to enable the HPCB to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. If such application involves a designated archaeological zone, the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archaeological site.
- (b) In the event that the applicant is requesting a special certificate of review for demolition, the HPCB shall be provided with the details for the proposed disposition of the site. The HPCB may require architectural drawings, financial plans or other information regarding any proposed new construction. Proposed demolitions shall be reviewed subject to the considerations in section 58-479.
- (c) The HPCB will rule upon applications for a certificate of review during a public hearing. A notice of the hearing shall be published in a newspaper of general circulation within the city at least 13 ~~45~~ days in advance of the hearing. Written notice of the time and place of the hearing and the proposed action to be taken shall be mailed to all owners of record of property within 500 feet of the property requesting a certificate of review. A notice shall also be posted upon the property at least 15 days in advance of the hearing.
- (d) An approved certificate of review and any accompanying variance(s) shall expire one year after the date of approval if the approved construction, rehabilitation, restoration, renovation, addition, demolition, or relocation has not physically commenced on the property within such time period. Upon the request of the property owner, staff may administratively extend the approval for an additional year. Thereafter, upon request by the property owner one additional one year extension may granted by the HPB upon good cause.

(Ord. No. 2688-06, § 1, Exh. A (58-450), 10-



9-06)

Sec. 58-474. - Decision of the ~~commission~~ board

The decision of the ~~HPB historic preservation commission~~ HPB shall be based upon the guidelines set forth in section 58-469 as well as the general purpose and intent of these regulations and any specific planning objectives and design guidelines officially adopted for the particular historic landmark, resource or historic district. The decision may include such incentives for preservations as the HPB finds appropriate. ~~No decision of the HPC shall result in an inordinate burden for the owner if the HPB has determined the existence of such burden in accordance with state law.~~ The decision of the HPB shall include a complete description of the reasons for such findings and details of the public interest that is sought to be preserved and shall direct one or more of the following actions:

- (1) Issuance of a special certificate of review for the work proposed by the applicant; or
- (2) Issuance of a special certificate of review with specified modifications and conditions or;
- (3) Issuance of a special certificate of review with recommendations for zoning required ~~to~~ for the preservation of the building or site and those recommendations shall be placed on the ~~consent~~ agenda of the soonest possible planning and zoning ~~commission~~ board meeting
- (4) Denial of the application and refusal to grant a certificate of review; or
- (5) Issuance of a special certificate of review with a deferred effective date of up to 12 months from the date of the ~~HPCB's~~ HPCB's decision at a public hearing in cases of demolition or moving of a significant building.

(Ord. No. 2688-06, § 1, Exh. A(58-451), 10-9-06)

Sec. 58-475. - Time limit.

The ~~historic preservation commission~~ HPB shall act upon an application within 60 days of receipt of the proposed action. The time limit may be waived at any time by mutual written consent of the applicant and the ~~HPCB~~ HPCB.

(Ord. No. 2688-06, § 1, Exh. A (58-452),10-9-06)

Sec. 58-476. - Records.

The decision of the ~~historic preservation commission~~ HPB shall be issued in writing. Evidence of approval of the application shall be by certificate of review issued by the ~~HPCB~~ HPCB or the ~~HPCB's~~ designated staff representative to the applicant, and whatever its decision, notice in writing shall be given to the applicant, city clerk and the director of the planning and community development department. When an application is denied, the ~~HPCB's~~ HPCB's notice shall provide an adequate written explanation of its decision. The ~~HPCB~~ HPCB shall keep a written record showing its action on each application considered.

(Ord. No. 2688-06, § 1, Exh. A (58-453),10-

9-06)

Sec. 58-477. - Appeals.

- (a) Any substantially affected party may appeal any decision of the HPCB to the city commission by filing within 15 days after the date of the decision a written notice of appeal and an appeal fee as established by the city's schedule of fees. The notice shall set forth concisely the decision appealed from and the reasons or grounds for the appeal.
- (b) The appeal shall be heard by the city commission, which shall hear and consider all facts material to the appeal and render a decision promptly. The appeal shall be a de novo appeal. The city commission may affirm, modify or reverse the HPCB's decision based upon the standards in section 58-469 and guidelines in section 58-479. The decision of the city commission shall constitute final administrative review. Appeals from decisions of the city commission may be made to the courts having jurisdiction over the matter, as provided by the Florida Rules of Appellate Procedure.

(Ord. No. 2688-06, § 1, Exh. A (58-454), 10-

9-06)

Sec. 58-478. - Change in approved work.

The HPCB's staff shall review any change in work proposed subsequent to the issuance of a certificate of review. If the HPCB's staff finds that the proposed change does not materially affect the historic character or the proposed change is in accord with approved guidelines, it may issue a supplementary ~~standard~~ certificate of review for such change. If the proposed change is not in accordance with guidelines, standards, or certificate of review previously approved by the HPCB, a new application for a special certificate of review shall be required.

(Ord. No. 2688-06, § 1, Exh. A (58-455), 10-9-06)

Sec. 58-479. - Guidelines for issuance—~~D~~demolition of designated properties or properties within historic districts, and construction, excavation or other disturbance in archaeological zones.

~~(a) In addition to all other provisions of this article, in determining whether to approve or deny an application involving the demolition of designated properties or properties located within designated historic districts, the HPCB shall consider the following criteria in evaluating applications for a special certificate of review for demolition of designated properties:~~

- (1) The structure is of such interest or quality that it would reasonably meet national, state or local criteria for designation as a historic landmark.
- (2) The structure is of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or expense.
- (3) The structure is one of the last remaining examples of its kind in the city, the county, or the region.
- (4) The structure contributes to the historic character of a designated district.
- (5) Retention of the structure promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.

- (6) There are definite plans for reuse of the property if the proposed demolition is carried out, and there is an explanation of what the effect of those plans will be on the character of the surrounding area.

Noncontributing elements are exempt from the provisions of subsections (1) through (5) above.

Sec. 58-480. – Identified interred archaeological site.

(b) In cases where new construction, excavation, tree removal or any other activity may disturb or reveal an identified interred archaeological site, the HPCB may issue a certificate of review with a delayed effective date up to 60 days. During the delay period, the applicant shall permit the subject site to be examined under the supervision of an archaeologist approved by the HPCB. A certificate of review may be denied if the site were of exceptional importance and such denial would not unreasonably restrict the primary use of the property.

Sect. 58-481. – Procedure for demolition of properties identified in the Florida Master Site File or the Historic Survey.

Applications requesting the demolition of properties that are identified in the Florida Master Site File or the Historic Survey as potential candidates for the National Register of Historic Places but are not designated properties or properties within historic districts, shall comply with the procedures of this section.

(1) Upon receipt of a complete application for a demolition permit, for properties found in the Historic Survey as potential candidates for the National Register of Historic Places, the city shall have sixty (60) days thereafter to issue a demolition permit provided the applicable demolition permit requirements have been met. The purpose of this 60 day period is to facilitate and encourage the consideration of appropriate alternatives to protect the historic character of the property sought to be demolished before a demolition permit is issued. Upon receipt of the application for demolition, the property owner or their designee will receive a letter from the HPB staff notifying them of the 60 day period and the purpose of such and the next HPB meeting where the application for demolition will be reviewed and potential alternatives to demolition discussed. During this 60 day period, the HPB will review the application for demolition permit and may direct HPB staff to make proposals to the property owner or their designee as to any specific alternatives to demolition.

(2) Upon the city's receipt of a complete application for a demolition permit of properties that are identified in the Florida Master Site File, the city shall have sixty (60) days thereafter to issue a demolition permit provided the applicable demolition permit requirements have been met. The purpose of this 60 day period is to facilitate and encourage the consideration of appropriate alternatives to protect the historic character of the property sought to be demolished before a demolition permit is issued. Upon receipt of the application for demolition, the property owner or their designee will receive a letter from staff regarding the 60 day period and the purpose of such. During this 60 day period, staff shall consider appropriate alternatives to demolition and is authorized to make proposals to the property owner or their designee to protect the historic character of the property in lieu of demolition. HPB staff shall notify the HPB of any applications for

demolition that qualify under this category at the next scheduled meeting of the HPB subsequent to the receipt of a complete application for demolition permit.

(3) During the consideration period set forth under subsection (1) and (2), the following alternatives to demolition should be considered:

- (i) The feasibility of moving or relocating the structure;
- (ii) The feasibility of purchasing the structure, either privately or through the use of public funds;
- (iii) Preservation of historic elements of the structure prior to demolition through photographic documentation of the structure, removal and relocation of historic elements, or otherwise archiving the historic nature of the structure.

(4) If agreement is reached with the property owner to allow preservation of aspects of the structure pursuant to subsection (3) (iii) above, the demolition shall be allowed immediately upon completion of the preservation or at the end of the consideration period, whichever may come first, provided all other criteria for demolition have been met. As further consideration for allowing the preservation of the structure pursuant to this section, any person or entity undertaking the preservation effort shall provide the property owner a waiver of liability for any personal injury or property damage incurred by the preserving party.

(5) If after the expiration of the applicable consideration period under subsection (1) and (2), the property owner notifies the HPB staff in writing that no alternatives to demolition that are acceptable to the property owner have been presented, provided that all other requirements and conditions of its application for a demolition permit have been met, the city shall proceed to issue a demolition permit in accordance with its standard procedures. At any time after a complete application for demolition permit is received, the HPB staff may waive the remaining time under the applicable consideration period under subsection (1) and (2) if the HPB or the HPB staff determines that no meaningful alternatives to demolition exist or will be proposed to the property owner.

(6) For good cause shown, and with the agreement of the property owner, the consideration periods under subsection (1) and (2) may be extended for an additional sixty day (60) day period. The time limit under sec. 58-475 does not apply to demolition permits under this section.

(7) The criteria set forth in Sec. 58-479 do not apply to applications for demolition permits under this section. The HPB does not have the authority to approve or deny an application for demolition permit under this section.

(8) The provisions of this section shall be supplemental to any other requirements and conditions applicable to applications for and permits issued concerning the demolition of properties.

(9) Any property that has received, prior to the effective date of this section, an approved and valid development order or permit from the City that authorizes the redevelopment of the property is exempt from the provisions of subsection (1) and (2) in regards to the redevelopment approved by such development orders and permits.



Sec. 58-480~~482~~. - Reconstruction of destroyed historic landmarks.

The ~~loss~~ less of local historic landmarks, resources or contributing structures within a historic district that have been destroyed by fire or other natural disaster may be ameliorated by efforts to reconstruct the resource. Reconstruction means the process of reproducing by new construction the exact form and detail of a demolished building structure or object as it appeared at a certain point in time. The HPCB shall encourage reconstruction when deemed appropriate and when such reconstruction is based upon evidence of the size, form, architectural style and detail of the demolished building. The reconstruction will be recognized as such in the Winter Park Register of Historic Places.

(Ord. No. 2688-06, § 1, Exh. A(58-457), 10-9-06)

Sec. 58-481~~483~~—58-489. - Reserved.

DIVISION 5. - ADMINISTRATION AND  
ENFORCEMENT

Sec. 58-490. Incentives.

The City may adopt additional incentives applicable to designated historic landmarks, historic resources and/or properties in a historic district, including but not limited to fee discounts or grant programs, at its discretion.

Sec. 58-491. - National Register of Historic Places nominations.

The HPCB shall review local nominations to the National Register of Historic Places and shall forward a record of their actions and recommendations to the Florida State Historic Preservation Officer.

- (1) The city commission, City Manager, Planning and Community ~~red~~Development department director, ~~chief planner~~, owners of record and applicants shall be given a minimum of 30 and not more than 75 days prior to the HPCB meeting in which to comment on or object to the listing of a property in the National Register of Historic Places.
- (2) Objections by property owners must be submitted in writing and their signature notarized to prevent nomination to the National Register of Historic Places.

(Ord. No. 2688-06, § 1, Exh. A (58-458), 10-9-06)

Sec. 58-492. - Certified local government performance.

The HPCB shall apply to participate in the certified local government program through the Florida Division of Historical Resources. As part of the program requirements the HPCB shall:

- (1) Provide 30 days prior notice of all meetings to the state historic preservation officer.
- (2) Submit minutes of each meeting to the state historic preservation officer within 30 days of each meeting.

- (3) Submit record of attendance for the HPCB to the state historic preservation officer within 30 days of each meeting.
- (4) Submit public attendance figures for each meeting to the state historic preservation officer within 30 days of each meeting.
- (5) Notify state historic preservation officer of any change in HPCB membership within 30 days of the action.
- (6) Notify state historic preservation officer immediately of all new historic designations or alterations to existing designated buildings, structures and sites.
- (7) Submit amendments to ordinance to the state historic preservation officer for review and comment at least 30 days prior to adoption.
- (8) Submit annual report by November 1 covering previous October 1 through September 30 of each year. The annual report shall include:
  - a. Any changes to the rules of procedure.
  - b. The number of proposals reviewed.
  - c. All new designations.
  - d. Changes to the HPCB
  - e. Revised resumes of HPCB members as appropriate.
  - f. Changes to the historic preservation ordinance.
  - g. A review of any survey and inventory activity with a description of the system used.
  - h. A program report on each grant-assisted

activity. (Ord. No. 2688-06, § 1, Exh. A(58-459), 10-9-06)

**Sec. 58-493. Amendments. Reserved.**

~~Applications for amendments to existing designated historic landmarks, resources or historic districts shall be processed according to the provision of sections 58-456 and 58-457 of this chapter provided that no action resulting from such application shall have the effect of eliminating the requirement for certificates of review as otherwise provided for in this article. Where the HPB has issued a certificate of review for demolition or moving of the improvement or feature of principal historic significance on a historic landmark site, the historic classification may be changed through the amendment process.~~

(Ord. No. 2688-06, §1, Exh. A (58-463), 10-9-06)

**Sec. 58-494. - Ordinary maintenance and repair.**

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any improvement, which does not involve a change of design, appearance or material, or to prevent ordinary maintenance of landscape features.

(Ord. No. 2688-06, § 1, Exh. A (58-464), 10-9-06)

Sec. 58-495. - Enforcement of maintenance and repair provisions.

Where the HPCB or city determines that any improvement of a designated historic landmark or resource, or historic district is endangered by lack of maintenance and repair, or that other improvements in visual proximity to a historic landmark, historic resource or historic district lack maintenance and repair to such an extent as to detract from the desirable character of the historic landmark, historic resource or historic district, it shall request appropriate officials or agencies of the city to require correction of such deficiencies under authority of applicable laws and regulations.

(Ord. No. 2688-06, § 1, Exh A (58-465), 10-9-06)

Sec. 58-496. - Unsafe structures.

In the event the building official determines that any designated building or contributing structure within a designated historic district is unsafe pursuant to the Florida Building Code, he or she shall immediately notify the HPCB with copies of such findings. Where reasonably feasible within applicable laws and regulations, the building official shall endeavor to have the structure repaired rather than demolished and shall take into consideration any comments and recommendations by the HPCB. The HPCB may take appropriate actions to effect and accomplish the preservation of such structure including, but not limited to, negotiations with the owner and other interested parties, if such actions do not interfere with procedures in the Florida Building Code.

(Ord. No. 2688-06, § 1, Exh.A (58-466), 10-9-06)

Sec. 58-497. - Emergency conditions.

For the purpose of remedying emergency conditions determined to be imminently dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction, demolition or other repairs to an improvement, or site within a designated historic landmark, resource or district pursuant to an order of a government agency or a court of competent jurisdiction, provided that only such work as is reasonably necessary to correct the hazardous condition may be carried out. The owner of an improvement damaged by fire or natural calamity shall be permitted to stabilize the improvement immediately and to rehabilitate it later under the normal review procedure of this article.

(Ord. No. 2688-06, § 1,Exh. A (58-467), 10-9-06)

Sec. 58-498. - Inspections.

The Building and Permitting Services Department and Code Compliance Division shall assist the HPCB by making necessary inspections in connection with enforcement of this article. The building official shall be responsible to promptly stop any work attempted to be done without or contrary to any certificate of review required under this division and shall further be responsible for ensuring that any work not in accordance with an issued certificate of review shall be corrected to comply with the certificate, or that authorized remedial action in accordance with city codes is initiated promptly.

(Ord. No. 2688-06, § 1, Exh. A(58-468), 10-

9-06)

**Sec. 58-499. —Reserved. Inordinate burden.**

~~Nothing in this article shall cause an inordinate burden to a property owner's existing use of real property or a vested right under 1995 Fla. Laws Ch. 95-181, § (1-2), the Bert J. Harris, Jr. Private Property Rights Protection Act. An ordinate burden to a property owner's existing use of real property or a vested right may not be considered unless an application for a certificate of review for a designated property has been denied. In any instance where there is a claim of an inordinate burden to existing use of real property or vested rights, the owner shall submit, by affidavit, to the commission at least 30 days prior to a public hearing, such information as may be required to describe those vested rights and the perceived inordinate burden to those rights.~~

(Ord. No. 2688-06, § 1, Exh.A (58-469), 10-

9-06)

**Sec. 58-500. - Violations.**

- (a) Any person who carries out or causes to be carried out any work in violation of this article shall be required to restore the subject improvement, landscape feature or site either to its appearance prior to the violation or in accordance with a certificate of review approved by the HPB. This civil remedy shall be in addition to and not in lieu of any eriminal prosecution and civil penalty otherwise provided in section 2-108 2-107 in this Code.
- (b) Any person who carries out or causes to be carried out any work in violation of this article that causes irreparable or irreversible damage to a designated historic resource, or to any contributing or noncontributing resource within a designated historic district a fine not to exceed three times the amount per violation provided for in section 2-108 2-107 in this Code.

(Ord. No. 2688-06, § 1, Exh A (58-470), 10-

9-06)

**Secs. 58-501—58-509. - Reserved.**

**DIVISION 6. - TAX EXEMPTIONS FOR HISTORIC PROPERTIES**

Sec. 58-510. Reserved.

**Sec. 58-511. - Scope of tax exemptions for restoration, renovation or rehabilitation.**

(a) Chapter 196.1997, Florida Statutes establishes Aa method is hereby created for the city commission to allow tax exemptions for the restoration, renovation or rehabilitation of historic properties. The exemption shall apply to one hundred percent (100%) percent of the assessed value of all improvements to historic properties, which result from restoration, renovation or rehabilitation made on or after the effective date of an approved application. The exemption applies only to taxes levied by the city. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida State Constitution. The exemption does not apply to personal property.



(Ord. No. 2688-06, § 1, Exh. A (58-476), 10-9-06)

Sec. 58-512. - Duration of tax exemptions.

Any exemption granted under ~~this section~~ 58-511 to a particular property may remain in effect for ten years as specified in the ordinance approving the exemption. The duration of ten years may continue regardless of any change in the authority of the city to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, however, the historic character of the property, and improvements, which qualified the property for an exemption, must be maintained over the period for which the exemption was granted.

(Ord. No. 2688-06, § 1, Exh. A (58-477), 10-9-06)

Sec. 58-513. - Eligible properties and improvements.

(a) Property is qualified for an exemption under ~~this section~~ 58-511 if:

(1) At the time the exemption is granted, the property is:

- a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;
- b. A contributing property within a National Register listed district; or
- c. Individually listed in the Winter Park Register of Historic Places or noted as a contributing structure within a designated local historic district as enacted by ordinance of the city commission.

(2) The HPCB has certified to the city commission that the property for which an exemption is requested satisfies subsection (a) (1) above.

(b) In order for an improvement to a historic property to qualify the property for an exemption, the improvement must be:

- (1) Consistent with the United States Secretary of the Interior's Standards for Rehabilitation and/or local design guidelines for historic preservation, and
- (2) Determined by the HPCB to meet criteria established in rules adopted by the department of state if the city is a Certified Local Government, or by the Department of State Division of Historic Resources.

(c) Property is qualified under section 58-513(b) above if the property meets the following criteria:

- (1) The property must be used for commercial purposes or used by a not-for-profit organization under s. 501(c) (3) or (6) of the Internal Revenue Code of 1986; or
- (2) The property must be listed in the National Register of Historic Places, as defined in Florida Statutes section 267.021; or
- (3) Must be a local historic contributing property to a National Register Historic District; or must be a locally designated historic landmark or a contributing property within a locally designated historic district; and

- (4) The property must be regularly open to the public, which means that there are regular hours when the public may visit to observe the historically significant aspects of the building. This means a minimum of forty (40) hours per week, for forty-five (45) weeks per year, or an equivalent of eighteen hundred (1,800) hours per year. A fee may be charged to the public; however, it must be comparable with other entrance fees in the immediate geographic locale.

Only those portions of the property used predominantly for the purposes specified in section 58-513(c) shall receive the ad valorem tax exemption of up to fifty (50%) percent of the assessed property value. In no event shall an incidental use of property qualify such property for an exemption or impair the exemption of an otherwise exempt property. In order to retain the exemption, the historic character of the property must be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.

(Ord. No. 2688-06, § 1, Exh. A (58-478), 10-9-06)

#### Sec. 58-514. - Applications.

(a) Any person, firm or corporation that desires ad valorem tax exemption from the improvement of a historic property must, in the year the exemption is desired to take effect, file with the historic preservation staff a written application on a form approved by the Florida Department of State. Any applicable fees shall be paid at the time the application is submitted. The application must include the following information:

- (1) The name of the property owner and the location of the historic property.
- (2) A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvement.
- (3) Proof to the satisfaction of the HPCB that the property that is to be rehabilitated or renovated is a historic property under this section.
- (4) Proof to the satisfaction of the HPCB that the improvements to the property will be consistent with the United States Secretary of Interior's Standards for Rehabilitation and will be made in accordance with guidelines developed by the Florida Department of State.
- (5) Other information identified in appropriate Florida Department of State regulations.

(b) Following approval by the city commission, any person, firm or corporation who is claiming the ad valorem tax exemption provided under section 513(b) shall, on or before March 1 of each year, file an application for exemption with the Orange County Property Appraiser, describing the property for which exemption and certifying its ownership and use.

(Ord. No. 2688-06, § 1, Exh.A (58-479), 10-9-06)

#### Sec. 58-515. - Required restrictive covenant.

To qualify for an exemption the property owner must enter into a covenant or agreement with the city commission for the term for which the exemption is granted. The form of the covenant must be established by the Florida Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors or assigns. Violations of the covenant or agreement results

in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years plus interest on the difference calculated as provided in F.S. § 212.12(3).

(Ord. No. 2688-06, § 1, Exh. A (58-480), 10-9-06)

Sec. 58-516. - Review by the HPGB~~-historic-preservation-board~~.

The HPGB or its successor is designated to review applications for exemptions. The HPGB must recommend that the city commission grant or deny the exemption. Such reviews must be conducted in accordance with rules adopted by the Florida Department of State. The recommendation and the reason therefore must be provided to the applicant and to the city commission before consideration of the application at an official meeting.

(Ord. No. 2688-06, § 1, Exh.A (58-481), 10-06)

Sec. 58-517. - Approval by the city commission.

A majority vote of the city commission shall be required to approve a written application for exemption. Such exemption shall take effect on the January 1 following substantial completion of the improvement. The city commission shall include the following in the ~~ordinance~~ decision approving the written application for exemption:

- (1) The name of the property owner and the address of the historic property for which the exemption is granted.
- (2) The period of time for which the exemption will remain in effect and the expiration date of the exemption.
- (3) A finding that the historic property meets the requirements of this article.

(Ord. No. 2688-06, § 1, Exh. A (58-482), 10-9-06)



# city commission agenda item

Item type	Action Item Requiring Discussion	meeting date	April 11, 2016		
prepared by	Randy Knight	approved by	<input checked="" type="checkbox"/>	City Manager	
department	City Manager		<input type="checkbox"/>	City Attorney	
division			<input type="checkbox"/>	N/A	
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life		<input type="checkbox"/> Fiscal Stewardship		
	<input type="checkbox"/> Intelligent Growth & Development		<input type="checkbox"/> Public Health & Safety		
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

## subject

Library Naming Policy

## background

Attached is the naming policy as provided by the library.

## **WINTER PARK LIBRARY ASSOCIATION, INC. ("WPLA")**

(Federal Tax Identification Number 59-0794396)

### **FACILITY NAMING POLICY**

This policy sets forth the requirements and conditions that must be met by donors in order for their name, or a name they select, to be applied to a WPLA facility. In all cases, final determination of whether any building, exterior or interior space may be named for an individual rests with WPLA's Board subject to approval by the City of Winter Park.

1. **General:** Donors who wish to name a building, addition to an existing building, interior space, or exterior space (herein sometimes collectively referred to as "facility") of the WPLA must agree to the terms of the gift in an irrevocable and enforceable pledge/gift agreement.

2. **Costs of a Facility:** The Total Cost of a facility shall be determined by the Executive Director and shall be included as an exhibit to the pledge agreement.

3. **Exclusive Naming Rights to Entire Building:** A donor who wishes to name an entire building, both the building as a whole as well as the interior space within the building, and exclude the possibility of any other donor naming any part of the building, is required to contribute 100% of the total expected philanthropic contribution of the WPLA towards the construction of the building plus an additional percentage for use as an endowment to support the operations of the building during its useful life

4. **Non-Exclusive Naming Rights to Building:** A donor who wishes to name the exterior of a building, but not exclude other donors from naming interior spaces, is required to contribute no less than 50% of the total expected philanthropic contribution of the WPLA towards the construction of the building.

5. **Exclusive Naming Rights to Exterior Space:** A donor who wishes to name an exterior space, such as a patio, deck, walkway, etc., is required to contribute 100% of the total expected philanthropic contribution of the WPLA towards the construction of the exterior space.

All exterior naming rights are subject to the approval of the City of Winter Park.

6. **Naming Rights to Interior Space:** Donors may name individual rooms or other defined spaces within new and existing buildings, without naming the entire building. The minimum contribution required to name an interior space of a new or existing building shall be determined on a case-by-case basis and shall be commensurate with the expense and attractiveness of the space, which calculation should be made with reference to the proportionate cost that space bears to the total current or projected value of the entire building.



**7. Additions to Existing Buildings:** Donors who wish to provide additions to existing buildings outside of WPLA's master building plan must contribute 100% of the Total Cost of the addition. For additions within WPLA's master plan, donors wishing to name the addition must contribute 50% of the Total Cost of the addition.

**8. Existing Named Buildings or Exterior Spaces:** Existing named buildings or exterior spaces that were not named in recognition of financial support by donors will always carry the name presently assigned them. However, such facilities may be renamed in recognition of gifts made by donors in a way that combines the original name with a name requested by a new donor.

**9. Existing Unnamed Buildings or Exterior Spaces:** Existing unnamed buildings or exterior spaces may be named by donors providing no less than 75% of the current replacement cost of the facility.

**a. Permissible Naming Rights for an Unrestricted Gift.** Donors need not contribute to an account for a building or exterior space in order to name it; this point is especially relevant for donors wishing to name an existing unnamed building or exterior space already built and paid for. In such instances, unrestricted or undesignated gifts of size adequate to meet the requirements set forth in this policy may be deemed adequate to name a facility. However, such contributions may be recognized only once; that is, a gift used to name an endowed fund may not also be recognized in a facility name. By contrast, a gift added to WPLA's unrestricted endowment might justifiably be recognized by naming a facility with the donor's permission.

**10. Full Payment Required.** The construction of a building, addition to an existing building, or exterior space dependent on pledged funds must await receipt of 100% of the total expected philanthropic contribution of the WPLA towards the construction of the project. Therefore, donors who contribute less than the Total Cost must be apprised that construction is not assured until the Total Cost of the project has been secured from other donors.

**11. Approval of Exceptions.** Exceptions to this policy may be requested through the Executive Director who may endorse the recommendation for review by the Board of Trustees or may rule independently against granting the exception. Alternatively, the Executive Director may recommend policy exceptions to the Board, and the Board may initiate exceptions independently. All exceptions, however, must be weighed against their future cost, as all exceptions granted weaken this policy, and any exception granted may be viewed by past or prospective donors as a precedent, making it more difficult to deny future requests for exceptions.

**12. Morals Clause.** If at any time the donor commits any act or becomes involved in any situation, or occurrence tending to degrade the donor in the community, or which brings the donor into public

contempt or scandal, or which materially and adversely affects the reputation or business of the WPLA, whether or not information in regard thereto becomes public, the WPLA shall have the right to remove donor's recognition rights as required pursuant to a previously executed pledge/gift agreement.

**Final Authority in Board of Trustees.** Final authority for naming a building or exterior space rests exclusively with the Board of Trustees who may delegate its authority as needed. The Board may be expected to act on recommendations forwarded by the Executive Director. Furthermore, when pre-approved menus of naming opportunities and associated costs are on record, staff may rely upon said menus and proceed with donors independent of consultation with the Board; however, the Board retains final naming authority of any new or existing building or exterior space at WPLA subject to approval by the City of Winter Park. Generally, naming rights shall not be granted "in perpetuity" but for the useful life of the structure subject to changed circumstances as noted in a written gift agreement.



# city commission public hearing

item type	Public Hearing	meeting date	April 11, 2016
prepared by department division	Jeff Briggs Planning Department	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
board approval	Planning & Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0 final vote

**Subject: Request for Subdivision or Lot Split Approval at 360 Beloit Avenue.**

Z Properties, Inc. (contract purchaser) is requesting subdivision or lot split approval to divide the property at 360 Beloit Avenue into two (2) single-family lots. The zoning of this property is R-1A. The property is currently occupied by one single-family home, which is to be demolished. This item was tabled by the City Commission at the March 14<sup>th</sup> meeting and re-advertised and re-noticed to all neighbors. A copy of the revised legal notice is attached.

**Summary:**

**ZONING CONFORMANCE:** The proposed lots are to be split (vertically) and will measure 67 feet in width, and are 8,815-square feet and 7,836-square feet in size. The R-1A zoning requires a minimum of 75 feet of lot width, and a minimum of 8,500-square feet of land area. The request needs variances for the two lot widths and one of the lots for land area. The applicant has commented that it is the impact of the cul-de-sac bulb that reduces the lot area requiring that variance.

**COMPREHENSIVE PLAN CONFORMANCE:** The practice outlined in the Comprehensive Plan and the Subdivision Code is to look at the surrounding neighborhood to see what standard is for typical lot sizes with the same zoning. By lot "size" the City uses the same two criteria for "size" as outlined in the R-1A "minimum building site" standard, which is both lot width and lot area. The Code dictates that the compatibility review area is within a 500-foot radius of the subject property, and is limited to those properties within in the same R-1A zoning category.

There are 51 properties zoned R-1A within the 500 foot radius. The average lot width of these 51 homes is 65.8 feet, and median lot width is 53.1 feet. Of the 51 homes, 65% of them are on lots less than 75 feet in width, and the other 35% of the homes are on lots of 75 feet or greater.

While the proposed lot to the east meets the minimum land area requirements for R-1A (8,500-square feet), the west lot is smaller than the minimum, and measures 7,836-square feet. The average lot area from this 51 home survey is 11,333-square feet, and the median lot area is 11,322-square feet. In the immediate neighborhood area, within the 500-foot radius, there are some lots with less lot area than the R-1A minimum land area requirements (23%), but a majority of the homes (77%) either conform to or exceed the R-1A minimum land area requirements.



**DEVELOPMENT PLANS:** The applicant has provided a detailed site plan/floor plan for the two proposed homes and generalized front elevation for the types of home that their company builds. They will comply with the normal single-family development standards, setbacks, etc. and are not seeking any zoning variances. At the P&Z meeting, based on neighbor comments, the P&Z Board conditioned their recommendation Per our Subdivision Code, the City can condition any approval upon the subsequent submission, subject to conformance to the site plans and the elevations presented at the February 2, 2016 public hearing and with the request for emphasis on creating the appearances of front entrances on Beloit Avenue. The City can place conditions upon this approval, such as proposed by P&Z.

#### **Planning Staff Recommendation:**

The recommendation to P&Z from staff at their February 2<sup>nd</sup> meeting stated that using lot area size (square footage) this request does not fully conform to the Zoning Test and Comprehensive Plan Test. However, with respect to the lot width, the lots do meet both the average and median lot frontage size for comparison purposes, and do conform to the Comprehensive Plan Test of the neighborhood comparison. Therefore, this is an interesting case where the neighborhood lot width comparison would favor the applicant's request and variances but the neighborhood lot area comparison does not support the requests and so this is a case to be made both for approval and for denial. Staff recommended approval as this request is not markedly different from the subdivision approved for the four lots at 1004 N. Pennsylvania that were 60 feet wide and 9,480 sq. ft. in size.

#### **Planning & Zoning Board Recommendation:**

The Planning & Zoning Board received 10 letters that were in favor of the request. One speaker supported the request but asked for the homes to look more like they fronted on Beloit Avenue as all the patio homes across the street look like. Another resident spoke in opposition because he felt including the Beloit patio homes in the neighborhood comparisons created an unfair comparison with the neighborhood on the south side of Beloit.

The Planning Board felt that the comparison method that the City uses looks at the entire surroundings. The members however did agree that the future homes should appear as if the "fronts" are on Beloit Avenue and agreed that since the plans presented are the ones that have generated letters in support that those plans should be the actual ones that are constructed.

**Motion made by Peter Weldon, seconded by James Johnston to APPROVE the request to subdivide the property at 360 Beloit Avenue into two single-family building lots subject to conformance to the site plans and the elevations presented at the February 2, 2016 public hearing and with the request for emphasis on creating the appearances of front entrances on Beloit Avenue. All building permit materials are to be consistent with those presented at the February 2<sup>nd</sup> public hearing. If staff feels that there are any substantial changes, the revisions will be brought back to the Planning and Zoning Board for public hearing review.**

**Motion carried unanimously with a 7-0 vote.**



## **P&Z Minutes: February 2, 2016:**

### **REQUEST OF Z PROPERTIES FOR: SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 360 BELOIT AVENUE, INTO TWO SINGLE FAMILY BUILDING LOTS.**

Planning Manager Jeffrey Briggs presented the staff report and explained that Z Properties, Inc. (contract purchaser) is requesting subdivision or lot split approval to divide the property at 360 Beloit Avenue into two (2) single-family lots. The zoning of this property is R-1A. He reviewed the zoning and comprehensive plan test as relates to the City's review process of subdivisions or lot split requests and provided an overview of the applicant's development plans. He said that the applicant has provided generalized elevations and floor plans for the types of homes anticipated to be built on these lots, if approved.

From staff's prospective, this lot split request generally meets the Comprehensive Plan test and is not markedly different from the previous subdivision approved for the four lots at 1004 N. Pennsylvania that were 60 feet wide and 9,480 sq. ft. in size. Staff recommended approval of the request. Mr. Briggs responded to Board member questions and concerns.

Zane Williams, 271 North Pennsylvania Avenue, explained that various options were weighed for this site including the construction of one large single-family home. He said that consideration was given to the character of Beloit Avenue and the decision was made to construct two homes. He agreed with the staff report presented by Mr. Briggs.

Gary Hancock, Architect for the homes, spoke in support of the request.

John McDade, 450 Beloit Avenue, stated that he is the neighboring property owner but also the listing agent for the seller of the property. He spoke in support of the request and stated that he feels that two homes will be a nice fit for the neighborhood.

Dennis Casey, 443 Beloit Avenue, stated that he was not opposed to the lot split, but that he feels that the homes should face Beloit Avenue with garages in the rear keeping in character with the homes that already exist. He asked for plan changes to give the homes more of a "front door" look on Beloit Avenue.

Dick Gregor, 380 Waterfall Lane, spoke in opposition to the request. He did not feel that the homes are in keeping with the character in the neighborhood because the neighborhood affected is Waterfall Lane and not Beloit Avenue. He felt that it was not appropriate to use the Beloit patio homes to establish a lot size standard for this neighborhood on the south side of Beloit. He discussed his concerns with regard to the orientation of the homes and design.

Ira Kitograd, co-applicant, 731 Pansy Avenue, stated that he feels that they were sensitive to street views from Beloit and have made an effort to give appearance of 2 street frontages with the garages in the rear.

No one else wished to speak concerning this issue. Public Hearing closed.

Chairman Johnston confirmed that the method of comparison is the same for this request as was done for the previous one at 1004 S. Pennsylvania. Mr. Weldon, Mr. Slocum and Mr. Hahn all expressed the importance of conformance to the plans presented for assurance to the neighbors as to design layout and for trying to increase the front door look on Beloit. Mr. Gottfried dis-agreed with the City's system for evaluation because the character on both sides of Beloit differed substantially. Staff confirmed that approvals could be conditioned to specific plans and substantial changes returned to P&Z for review, following notice.



Motion made by Peter Weldon, seconded by James Johnston to APPROVE the request to subdivide the property at 360 Beloit Avenue into two single-family building lots subject to conformance to the site plans and the elevations presented at the February 2, 2016 public hearing and with the request for emphasis on creating the appearances of front entrances on Beloit Avenue. All building permit materials are to be consistent with those presented at the February 2<sup>nd</sup> public hearing. If staff feels that there are any substantial changes, the revisions will be brought back to the Planning and Zoning Board for public hearing review. Motion carried unanimously with a 7-0 vote.

New revised legal noticed advertised and mailed to all property owners within 500 feet:



## PUBLIC NOTICE

NOTICE is hereby given that a public hearing will be held by the City Commission of the City of Winter Park, Florida on Monday, April 11, 2016 at 3:30 p.m. in the Commission Chambers of City Hall at 401 S. Park Avenue, Winter Park, Florida, 32789 to consider the following **PUBLIC HEARING:**

**REQUEST OF Z PROPERTIES FOR:** SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 360 BELOIT AVENUE, ZONED R-1A, INTO TWO SINGLE FAMILY BUILDING LOTS. BOTH PROPOSED LOTS WOULD HAVE 67 FEET OF LOT WIDTH OR FRONTAGE ON BELOIT AVENUE AND 7,836 SQUARE FEET AND 8,815 SQUARE FEET OF LOT AREA. THESE LOT DIMENSIONS DO NOT MEET THE R-1A ZONING MINIMUM LOT STANDARDS OF 85 FEET OF LOT WIDTH FOR CORNER LOTS. ONE OF THE PROPOSED LOTS DOES NOT MEET THE MINIMUM LOT AREA REQUIREMENTS OF R-1A ZONING. VARIANCES ARE REQUESTED FOR THE PROPOSED LOT WIDTHS OF 67 FEET IN LIEU OF THE 85 FEET REQUIRED FOR CORNER LOTS IN THE R-1A ZONING AND FOR THE LOT AREA OF THE WESTERN LOT AT 7,836 SQUARE FEET IN LIEU OF THE REQUIRED 8,500 SQUARE FEET. THESE REQUESTED VARIANCES WILL BE CONSIDERED AT THE SAME PUBLIC HEARING FOR WHICH THE SUBDIVISION OR LOT SPLIT APPROVAL WILL BE CONSIDERED.

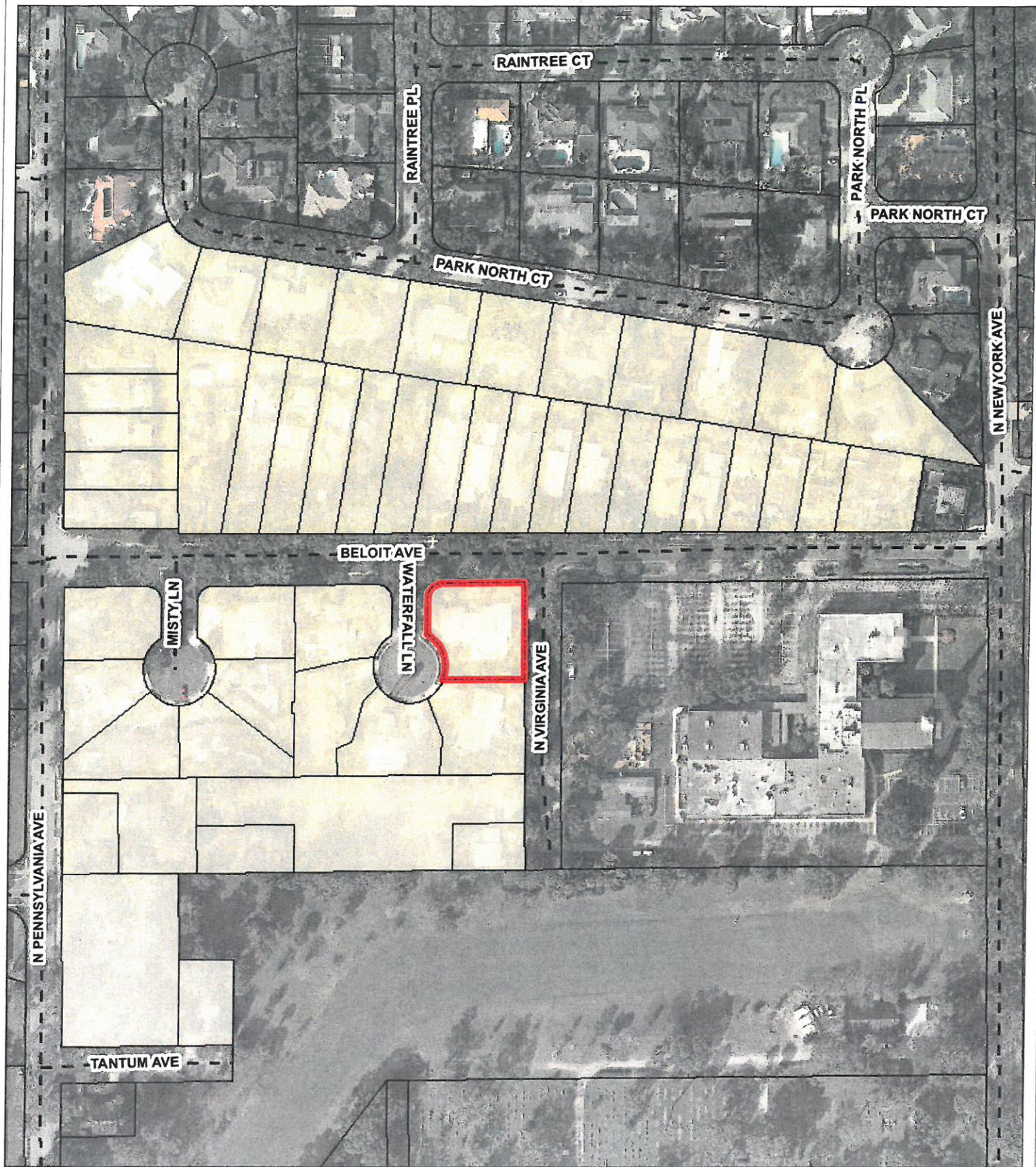
All interested parties are invited to attend and be heard. Additional information is available in the Planning Department so that citizens may acquaint themselves with each issue and receive answers to any questions they may have prior to the meeting.

**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 will need a record of the proceedings, and that, for such purpose, he 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 Planning Department at 407-599-3453 at least 48 hours in advance of the meeting.

/s/ Cynthia S. Bonham, MMC, City Clerk

**PUBLISH: Sunday, March 27, 2016 Orlando Sentinel**





## Comprehensive Plan Test

### 360 Beloit Avenue Lot Split



0 50 100 150 Feet

Date: January 2016

#### NOTES

360 Beloit Avenue  
Average Lot Width = 65.8 feet  
Average Lot Size = 11,333 square feet

R-1A Lots Within 500' of Site  
Median Lot Width = 53.1 feet  
Median Lot Size = 11,322 square feet



Members of Planning & Zoning:

Allow us to introduce ourselves; my name is Ira Kitograd, Owner of IBK Construction, a custom home building company in Winter Park. My partner, Zane Williams, owner of Z Properties, is a custom homebuilder in Winter Park as well. Zane and I have been building homes in the Winter Park for a combined total of 30+ years and have collaborated on multiple properties in recent years.

We have the home located at 360 Beloit Avenue under contract. We intend to redevelop this property one of two ways; both options involve demolition of the current structure. Current zoning allows us to replace the current home with a new single-family residence. Preliminary design is a 6,000+ s.f home under air with a (3) car garage. Given the width of the lot we have the ability to build a 35 high structure. Our second option, pending approval, is to divide the property into two (2) parcels that will accommodate two smaller garden style homes of approximately 3,000 s.f each with rear loading garages and 30 foot in height.

Beloit Ave. is a special street, a street that has a series of smaller cottage/garden style homes each complementing each other in scale and style. Currently, twenty (20) of the twenty-three (23) homes on Beloit sit on 50 foot wide lots. If subject lot is divided each lot will be sixty-seven (67) feet in width.

Our preference is to divide the lot and build 2 smaller homes in keeping with the personality of the street.

There has been much precedent for the approval of this proposed lot division, most recently a similar property located just steps away on Pennsylvania Ave.

We look forward to meeting with the Neighbors and Board Members to discuss our plans in further detail.

Thank You

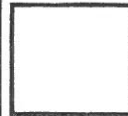
Ira Kitograd & Zane Williams



WINTER PARK DESIGN

Z PROPERTIES BELOIT II

J7



BELOIT COTTAGES  
 WINTER PARK, FLORIDA



Lot Area	3,815
FAR Allowed	4,815
Building Area	2,914

Lot Area	3,815
FAR Allowed	4,815
Building Area	2,914



**AREA TABULATION**

Lot Area	8,815 SF
FAR Allowed	3,790 SF

**BUILDING AREA**

First Floor	2,357
Second Floor	878
Total Living	3,335 SF
Garage	455
Total FAR	3,790 SF

**AREA TABULATION**

Lot Area	7,336 SF
FAR Allowed	3,369 SF

**BUILDING AREA**

First Floor	1,872
Second Floor	1,042
Total Living	2,914 SF
Garage	455
Total FAR	3,369 SF

SITE PLAN  
 1/8" = 1'-0"





February 21, 2016

Dear Commissioner Sprinkel,

My family has lived in Winter Park at 380 Waterfall Lane since 1994. I am a Chemistry Professor at Rollins College. I love Winter Park and I love my neighborhood. I am writing to urge you to vote against the proposed subdivision of the lot at 360 Beloit Avenue which will come before you on February 22, 2016 as Item (f) under the Public Hearings agenda. I am asking for nothing beyond reasonable application of existing standards.

There are two specific reasons for my request. The first is procedural, perhaps even legal in nature. **The Public Notice circulated for this request did not state that the request was for a variance in the minimum lot area requirement of 8,500 sq ft.** This is especially disappointing since the staff report from the Planning and Community Development Department actually states that **"the neighborhood lot area comparison does not support the requests"** for variance. It is quite clear to me that this omission is a significant error, giving the appearance of impropriety, when the only variance specified on the notice is not significant or controversial (minimum lot width). At the very least, the public deserve a complete, clear notification of **both** of the variances requested.

Secondly, I urge you to look closely at the large difference between the 7,836 sq ft area of one of the proposed lots and the average lot area of 11,333 sq ft in the study neighborhood. This is **31% smaller** than the average, hardly a small difference. These will be rather large (3369 sq ft), two story houses crammed onto small lots, **unlike the 80% majority of the homes in the study area**, which do conform to the 8,500 sq ft minimum area. These lots will be even smaller, by 16%, than the recently approved 'Genius' subdivision on 1004 North Pennsylvania. I would also note that 100% of the homes along the south side of Beloit and in the two cul-de-sacs, also on the south side of Beloit, far exceed the minimum area rule. The idea that the developer floated that the proposed lot would have met the minimum area if only it somehow miraculously acquired the paved street area of the "bulb of the cul-de-sac" is frankly, ludicrous. If that reasoning is allowed, I will certainly consider adding some of that 'bulb' area to my 13,000 sq ft lot when I request it to be subdivided.

I strongly disagree with the explanation offered by the Planning Staff and Zoning Board in deciding to recommend and pass the request, despite staff actually stating that the lot area test fails. Somehow, the notion seems to be that just the lot width test passing can lead to a 'pass' decision. Certainly the minimum area test, **which staff admits should lead to a denial**, should trump any smaller variances that might be more easily waived. A large variance and a small variance should not combine to result in a favorable vote. It seems as if two 'wrongs', one large and one small, are somehow making a 'right'. I think any reasonable person would say that their lot and home area are more important than the width. The minimum area test fails.

Finally, there is also controversy about which way the proposed homes will face. A quick look at the plans by any reasonable person will show that **neither home will face Beloit** like the current home. One will face Virginia and the other **will face my street, Waterfall Lane**. Garages will not be in the back of the homes, but on the sides. **In fact, from my point of view, the proposal has exactly the effect of adding one additional home to the three that have faced Waterfall Lane for over forty five years.** There will be a new driveway, garage, front sidewalk, front door, front porch, and all the associated traffic on what had always been a very quiet street. The added curb cut will reduce parking. Many of

the residents of the patio/garden homes on the North side of Beloit want the home to face Beloit, like their homes. This is clearly not what the builder intends. One home and garage will face mine on Waterfall, no matter how developers try to spin it.

In summary, I urge you to (1) require proper public notification, (2) uphold the minimum area rule, and resist this attempt to make this beautiful part of Winter Park look more like Baldwin Park. Thank you for your consideration in this matter.

Sincerely,

Richard W. Gregor, Ph.D.  
380 Waterfall Lane  
Winter Park, FL 32789

**Mr & Mrs Wallace**

339 Beloit Ave Winter Park, FL 32789

Date: January 17, 2016

Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with John Mcdade and fully support removing the current home and building two smaller residences. \*

In favor of this project,

*Julia Wallace*

Julia & Alex Wallace  
339 Beloit Ave

*\* we would prefer the front doors face Beloit Avenue.*

**Ellen Prague**

321 Beloit Ave Winter Park, FL 32789

Date: January 24, 2016

Planning & Zoning Commission

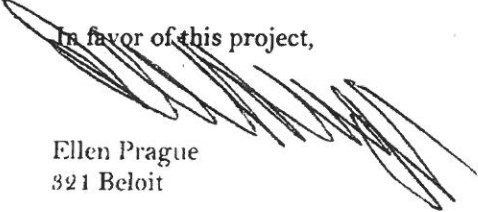
Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with Zane Williams and fully support removing the current home and building two smaller residences.

In favor of this project,

Ellen Prague  
321 Beloit





**James & Virginia Stuart**

360 Beloit Ave, Winter Park, FL 32789

Date: January 17, 2016

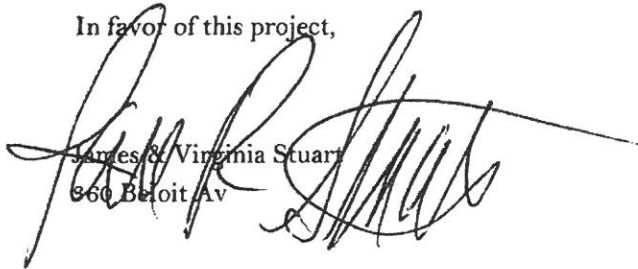
Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with John Mcdade and fully support removing the current home and building two smaller residences.

In favor of this project,

  
James & Virginia Stuart  
360 Beloit Av

**Mr & Mrs Bourne**

1091 N Pennsylvania Av Winter Park, FL 327

Date: January 17, 2016

Planning & Zoning Commission

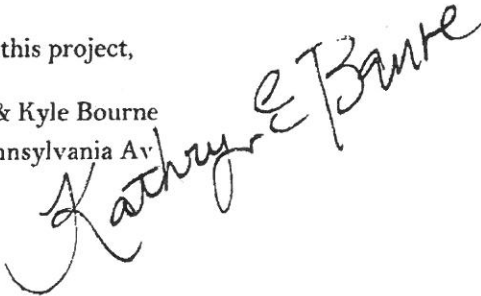
Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with John Mcdade and fully support removing the current home and building two smaller residences.

In favor of this project,

Katherine & Kyle Bourne  
1091 N Pennsylvania Av

A handwritten signature in cursive script, reading "Katherine & Kyle Bourne", written over the printed name and address.

## Page Ritter

1184 N Pennsylvania Ave Winter Park, FL 32789

Date: January 17, 2016

Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with John Mcdade and fully support removing the current home and building two smaller residences.

In favor of this project,

A handwritten signature in black ink, appearing to read "Page Ritter". The signature is stylized with a large, looped "P" and "R".

Page Ritter

1184 N Pennsylvania Ave

**Rick Proctor**

153 Beloit Ave Winter Park, FL 32789

Date: January 24, 2016

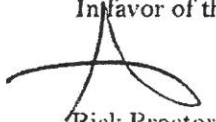
Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with Zane Williams and fully support removing the current home and building two smaller residences.

In favor of this project,



Rick Proctor  
153 Beloit



**Ruth Kazeck**

335 Beloit Ave Winter Park, FL 32789

Date: January 17, 2016

Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with the owners representative and fully support removing the current home and building two smaller residences.

In favor of this project,

A handwritten signature in black ink that reads "Ruth Kazeck". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Ruth Kazeck  
335 Beloit

# Dennis & Virginia Casey

443 Beloit Ave, Winter Park, FL 32789

Date: January 17, 2016

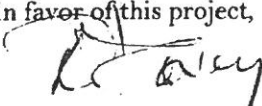
Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with John Mcdade and fully support removing the ~~current home and building two smaller residences.~~ LOT SPLIT, TRUST ARCH. REVIEW  
WILL BE PART OF SPLIT APPROVAL

In favor of this project,

  
Dennis & Virginia Casey  
443 Beloit Av

**Dr & Mrs Gerscovich**

1143 N Pennsylvania Av Winter Park, FL 32789

Date: January 17, 2016

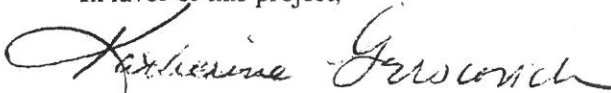
Planning & Zoning Commission

Reference: 361 Beloit Ave, Lot Division

Dear Commission,

I am a neighbor of the above referenced property. I have met with John Mcdade and fully support removing the current home and building two smaller residences.

In favor of this project,

A handwritten signature in cursive script, appearing to read "Katherine Gerscovich".

Katherine & Gene  
1143 N Pennsylvania Ave



# city commission agenda item

Item type	Public Hearing	meeting date	April 11, 2016		
prepared by	Wes Hamil, Finance Director	approved by	<input checked="" type="checkbox"/> City Manager		
department	Finance		<input type="checkbox"/> City Attorney		
division			<input type="checkbox"/> N/A		
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
strategic objective	<input type="checkbox"/> Exceptional Quality of Life	<input checked="" type="checkbox"/> Fiscal Stewardship			
	<input type="checkbox"/> Intelligent Growth & Development	<input type="checkbox"/> Public Health & Safety			
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

## subject

Semi-annual update to Fee Schedule

## motion | recommendation

Approve adjustments to the Fee Schedule as outlined in the attached summary

## background

City practice has been to review the Fee Schedule twice each year to ensure fees are adequate and appropriate. The first two pages of the attached contain a summary of the fees that are changed as well as estimates of the impact on net revenues. The remainder of the attached is the Fee Schedule as revised for the proposed changes.

## alternatives | other considerations

## fiscal impact

See attached

**City of Winter Park  
Fee Schedule  
Changes Proposed to be Effective May 1, 2016**

	<b>Current Fee</b>	<b>Proposed Fee</b>
<b>Parks and Recreation:</b>		
Teen Summer Camp Program (completed grades 5 – 8, per week):		
Resident	40.00	45.00
Each Additional Resident Child in same family	40.00	30.00
Free/reduced lunch programs, per child	25.00	30.00
Additional non resident child	65.00	45.00
Summer Camp Program (completed grades K – 4, per week):		
Resident:		
1 <sup>st</sup> child in family	65.00	70.00
Each additional child in family	50.00	55.00
Non-resident	85.00	90.00
Non Resident Additional Child	85.00	70.00
Free lunch, 1 <sup>st</sup> child	10.00	15.00
Holiday Camps:		
Half Session – 2-3 Days		
Resident	35.00	45.00
Non-resident	50.00	60.00
After School Participant	20.00	25.00
Palm Cemetery:		
Opening and closing charges:		
Infant burial	1,200.00	750.00
Extra Tent for graveside service	new fee	100.00
Extra set of chairs	new fee	50.00
Pineywood Cemetery:		
Opening and closing charges:		
Infant burial	1,200.00	750.00
Extra Tent for graveside service	new fee	100.00
Extra set of chairs	new fee	50.00
Golf Course:		
Green Fees November-April (Residents/Non-residents):		
Resident/Senior/Active Military Monday-Thursday	8.00 - 14.00	14.00
Non Resident Monday - Thursday	8.00 - 14.00	16.00
Resident Friday – Sunday, Holidays	13.00 - 17.00	17.00
Non Resident Friday – Sunday, Holidays	13.00 - 17.00	19.00
Green Fees May-October (Residents/Non-residents):		
Resident/Senior/Active Military Monday-Thursday	8.00 - 13.00	12.00
Non Resident Monday - Thursday	8.00 - 13.00	14.00
Resident Friday – Sunday, Holidays	12.00 - 16.00	15.00
Non Resident Friday – Sunday, Holidays	12.00 - 16.00	17.00
Other Green Fees:		
Replay rate for all players	5.00	7.00
Resident 9 hole Jr. ticket, up to middle school	6.00	8.00
Non-resident 9 hole Jr., up to middle school	8.00	10.00
Resident 9 hole high school and college student	7.00	10.00
Non-resident 9 hole high school and college student	9.00	12.00
City employees rate	6.00	12.00
Annual Play Pass:		
Single resident	600.00	900.00
Double resident	900.00	1,600.00



**City of Winter Park  
Fee Schedule  
Changes Proposed to be Effective May 1, 2016**

	<b>Current Fee</b>	<b>Proposed Fee</b>
Single non-resident	650.00	1,080.00
Double non-resident (family members residing in same household)	1,000.00	1,700.00
Senior (resident)	600.00	810.00
Senior (non-resident)	650.00	920.00
Junior (resident)	230.00	500.00
Junior (non-resident)	250.00	600.00
Student (resident)	280.00	600.00
Student (non-resident)	300.00	750.00
Corporate (16 members)	8,000.00	9,000.00
City employee rate	250.00	900.00
 Course Rental		
Full Course Rental – Daily 7am to Dusk Events - Free to Public	5,000.00	6,000.00
Full Course Rental – Daily 7am to Dusk – Paid Admission Events	10,000.00	12,000.00
 Central Park:		
Group Events:		
Small events (less than 400 people):		
North Park or South Park	550.00	750.00
North and South Park	550.00	1,100.00
Resident, Military or 1 <sup>st</sup> Responder	550.00 - 2,750.00	600.00
 Central Park West Meadows:		
Group Events:		
Small events (less than 400 people)	550.00	750.00
 Mead Gardens:		
Group Events:		
Small events (less than 400 people)	550.00	750.00
Rental of amphitheater (two hours):		
Weekend	300.00	350.00
 Lake Baldwin Park:		
Group Events:		
Small events (less than 400 people)	550.00	750.00
 MLK Park:		
Group Events:		
Small events (less than 400 people)	550.00	750.00
 Cady Way Park:		
Group Events:		
Small events (less than 400 people)	550.00	750.00
 Shady Park:		
Group Events:		
Small events (less than 400 people)	550.00	750.00
 Kraft Azalea Garden:		
Exedra area wedding for resident, military or first responder	200.00	160.00

Additional revenue from the above adjustments to Parks and Rec Fees is estimated to be about \$10,000

# **CITY OF WINTER PARK**



## **FEE SCHEDULE**

**Effective May 1, 2016**

## TABLE OF CONTENTS

General Government Fees:	
Administrative Fees.....	1
Finance Fees.....	1
Planning Fees .....	2
Building and Permitting Fees .....	4
Public Works Fees:	
Public Works Fees .....	13
Refuse Service Fees .....	16
Stormwater Utility Fees .....	17
Shoreline Alteration Permit Fees.....	18
Boat User Fees .....	19
Utility Service Fees.....	20
Water and Wastewater Usage Fees .....	26
Electric Rates .....	28
Fire Line Fees .....	32
Cross Connection Control Program Fees .....	34
Utility Demolition Disconnection Fees .....	35
Line Stop Fees .....	36
Insta-Valve Fees .....	38
Industrial Waste Fees.....	39
Public Safety Fees:	
Police Fees and Fines.....	41
Fire Fees .....	43
Parks and Recreation Fees:	
Parks and Recreation Fees.....	46
Cemetery Fees.....	51
Golf Course Fees .....	53
Tennis Fees.....	56
Recreation Facility Rental Fees .....	60
Park Fees .....	65
Special Event and Miscellaneous Fees.....	68

Pricing Basis Legend	
C	Pricing is based on costs
M	Pricing is based on market comparisons
S	Pricing is stipulated by Florida Statutes

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**GENERAL GOVERNMENT FEES**

---

**ADMINISTRATIVE FEES:**

Lien recording fees:	
Fee for first page.....	10.00 (C)
Each page thereafter .....	8.50 (C)
Certification charge.....	2.00 (C)
 City map and aerial photographs.....	10.00 (C)
Plus postage and handling .....	1.50 (C)
 City Code and Supplements to City Code	
Can be purchased from:	Municipal Code Corporation
	P. O. Box 2235
	Tallahassee, FL 32316
Or accessed on-line at <a href="http://www.municode.com">www.municode.com</a>	
 Copy of CD (City provides the CD) .....	3.00 (C)
 Copy charge per page .....	.015 (C)
Double sided .....	.020 (C)

**FINANCE FEES:**

Printed copy of annual budget document .....	20.00 (C)
Printed copy of CAFR.....	15.00 (C)
Returned check charge: *	
Check amount \$0.01 to \$50.00.....	25.00 (C)
Check amount \$51.00 to \$300.00.....	30.00 (C)
Check amount greater than \$300.00 .....	40.00 (C)
..... Or 5% of check amount, whichever is greater	

<p>* If payment is not received within 30 days, the city may file a civil action against the check writer for three times the amount of the check, but in no case less than \$50.00, in addition to the payment of the check plus any court costs, reasonable attorney fees, and any bank fees incurred by the City in taking the action.</p>
---

## CITY OF WINTER PARK - FEE SCHEDULE

Effective: May 1, 2016

### PLANNING FEES:

#### LAND DEVELOPMENT FEES:

##### **Application Fee Schedule:**

Annexations .....	500.00 (M)
Annexations requiring citywide notice .....	500.00, plus actual cost of notice (M)
Appeals.....	500.00 (M)
Appeals of decisions made by Historic Preservation Board .....	35.00 (M)
Comprehensive Plan amendments and rezoning:	
Less than one acre (1,500 ft. notice) .....	1,000.00 (M)
More than one acre (city-wide notice).....	6,000.00 (M)
Conditional use (including extensions/re-establishments):	
(applications with 500 ft notice) .....	500.00 (M)
(applications with 1,500 ft notice) .....	1,000.00 (M)
(applications requiring quarter page ad) .....	1,000 (M)
(applications with city-wide notice) .....	6,000.00 (C)
Development Review Committee Application Fees:	
Concept or preliminary plan .....	300.00 (M)
Final plan submittal .....	500.00 (M)
Revision to plan previously reviewed .....	200.00 (M)
Interpretations by Code Enforcement .....	200.00 (M)
Lakefront site plan reviews:	
Residential construction.....	150.00 (M)
Commercial or multi-family construction .....	250.00 (M)
Plan storage fees:	
Plan storage fee for approved building plans not retrieved by applicant:	
Up to six months following approval date .....	No charge
After six months.....	\$5 per day
After nine months	Return all but one plan to applicant or continue charge (at option of the City)
Street abandonments .....	250.00 (M)
Subdivision:	
Three lots or less .....	500.00 (M)
Over three lots .....	800.00 (M)
Lot consolidations:	
Three lots or less .....	500.00 (M)
Over three lots .....	800.00 (M)
Subdivisions with road improvements .....	1,000.00 (M)
Variances:	
Single family residential .....	200.00 (M)
Multi-family and commercial .....	400.00 (M)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PLANNING FEES (continued):**

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**LAND DEVELOPMENT FEES (continued):**

Parks impact fee (per new dwelling unit).....2,000.00 (M)

After the Fact Requests - Double the application fee and triple the building permit fee
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Applications tabled at the request of the applicant, within 10 days of the Planning and Zoning meeting or Board of Adjustment meeting, will be charged for additional advertising and notification costs, plus \$100.00.
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Costs incurred by the City for additional consultant investigation, traffic analysis, and planning activities prompted by the proposal shall be assessed to the project at the rate of 110%. This charge shall be added at the next logical development review point when a fee to the City is required, e.g.; rezoning request, subdivision request, conditional use request or building permits
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**BUILDING AND PERMITTING FEES**

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**Application and Permit Fees:**

Adult entertainment application fee (non-refundable) .....	200.00 (C)
Adult entertainment application fee - annual fee .....	750.00 (C)
Facilities permit application .....	10.00 (C)
Filming fees:	
Motion pictures:	
Application Processing Fee .....	100.00 (C)
Private property (registration of exemption) .....	25.00 (C)
Permit Fees:	
Public streets, parks, buildings or city facilities (per day) .....	500.00 (C)
Less than 10 persons or 2 vehicles involved (per day) .....	50.00 (C)
plus reimbursement of additional costs to the City, if any	
Still photography:	
Application Processing Fee .....	50.00 (C)
On private property .....	0.00 (C)
Permit Fees:	
Public street or public property (per day) .....	250.00 (C)
Less than 10 persons or 2 vehicles involved (per day)(city facilities) ..	25.00 (C)
plus reimbursement of additional costs to the City, if any	
Use of City Personnel .....	cost plus 30% (C)
Closing out sale permit .....	50.00 (C)
Closing out extension fee .....	30.00 (C)
Garage sale permit .....	10.00 (C)
Garage sale permit (residents over age 59) .....	5.00 (C)
Newsrack permit .....	100.00 (C)
Newsrack permit processing fee .....	50.00 (C)
Alcoholic beverage license .....	50.00 (C)
Sidewalk sale permit .....	200.00 (C)
Sidewalk sale permit during the Art Festival .....	150.00 (C)
Parking lot during the Art Festival .....	80.00 (C)
Sidewalk café application processing fee (non-refundable) .....	50.00 (C)
Sidewalk café permit fee	
1 – 4 seats .....	80.00 (C)
5 – 8 seats .....	100.00 (C)
9 – 12 seats .....	120.00 (C)
13 – 16 seats .....	140.00 (C)
17+ seats .....	160.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**BUILDING AND PERMITTING FEES (continued)**

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Solicitation permits application:	
Processing fee .....	100.00 (C)
Permit fee .....	300.00 (C)
Non-profit solicitation permits application:	
Processing fee .....	10.00 (C)
Permit fee .....	30.00 (C)
Special event permit processing fee .....	50.00 (C)
Special event permit .....	100.00 (C)
Non-profit special event permit processing fee	
(Internal Revenue Code 501C(3) organizations) .....	10.00 (C)

required, e.g.; rezoning request, subdivision request, conditional use request or building permits
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

**Application and Permit Fees (continued):**

Non-Profit special event permit.....	30.00 (C)
Special events requiring street closure permit processing fee.....	100.00 (C)
Special event permit for events requiring street closure:	
Small events (less than 400 persons) .....	100.00 (C)
Large events requiring multiple department approval.....	200.00 (C)
Duplicate permit placard .....	5.00 (C)
Duplicate occupational license.....	5.00 (C)
Lien and foreclosure research (allow seven business days) .....	25.00 (C)
Lien and foreclosure research (immediate request, one business day) .....	50.00 (C)
Business certificate processing.....	15.00 (C)

**Building/Land Development Code (LDC) Fee (Based on valuation of construction\*):**

Minimum to \$1,000 in valuation *	\$30.00 (C)
Over \$1,000 in valuation *	0.9%# of valuation plus \$30.00 ** (C)
Plans review fee for valuations over \$4,000, except permits not requiring plan review .....	½ of building/LDC permit fee## (C)
Plan review fee for revisions.....	25.00 per page (C)
(or if more than 50% of original plan, then full plan review fee is required, reduction allowed for minor revisions on each page)	
Inspector training .....	0.04% of valuation (C)
Affordable Housing fee .....	\$0.00 per sq. ft. (C)
of new or remodeled floor area, excludes areas of garages, carports, cabanas, storage sheds, churches, tax exempt non-profit organizations, nursing homes and assisted living facilities.	
Roofing permits .....	0.5% of valuation plus \$30.00** (C)
Inspection fee for other City Departments .....	40.00/inspection (C)
State Fee (new or remodeled floor area).....	3% of permit amount or \$4 minimum (S)
Transfer of permit to new contractor or applicant .....	50.00 (C)
Reinstatement of expired permit (if approved) .....	100.00 (C)
Extension of building permits.....	25.00 (C)
Pool fence violation inspection .....	100.00 (C)
Stop work order inspection fee .....	50.00 (C)
Site development permit (when allowed):	
Minimum fee .....	100.00 (C)
(or .2% of valuation, if higher)**	
Plan Submission Fee (for permitted plans exceeding 11 x 17, per page)*** .....	1.00 (C)

* Building valuations shall be based on the actual contract cost or the building valuation data established by the Building Department, whichever is greater.
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** For fee computations, all valuations are rounded up to the <u>next highest</u> thousand dollars.
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

\*\*\* in lieu of paying fee, applicant may provide plans in either PDF or TIFF format within 14 days of issuance of permit. In addition, any approved plan revisions must also be submitted electronically.

# .6% for building code enforcement and .3% for Land Development Code enforcement, totaling .9%.

## .3% for building code enforcement and .15 for Land Development Code enforcement, totaling .45%.

After the fact requests - double the variance application fee and triple the building, electrical, plumbing and gas permit fees. For construction begun or completed without permit - fee shall be tripled

The cost of inspection fees for other City Departments is determined during plan review and paid with building permit.

**Excavation/Landfill Permit Fees:**

Placement or removal of 40 cubic yards or less ..... 50.00 (C)  
Placement or removal of over 40 cubic yards ..... 100.00 (C)

**Exterior Examination Application Fee:**

Master/contractors ..... 200.00 (C)  
Journeyman ..... 150.00 (C)

**Competency Card Fees:**

Journeyman ..... (\$80 for two years, when available) 50.00 (C)  
Master/contractors ..... (\$200 for two years, when available) 100.00 (C)

**Demolition Permits (expires within 30 days):**

1 or 2 family dwellings ..... 150.00 (C)  
Accessory buildings ..... 50.00 (C)  
Other buildings ..... .6% of valuation or \$100.00, whichever is greater (C)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

**Electrical Permit Fees:**

Issuing each permit .....	40.00 (C)
Central air conditioning unit .....	10.00 (C)
Cooktop .....	3.00 (C)
Dental unit.....	2.00 (C)
Dishwasher .....	3.00 (C)
Disposal .....	3.00 (C)
Dryer .....	3.00 (C)
Electric elevator .....	7.50 (C)
Electric range.....	3.00 (C)
Electric welder:	
Transformer type to 50 amps .....	3.00 (C)
Transformer type over 50 amps .....	7.50 (C)
Fan - Commercial, ceiling, exhaust or bath .....	5.00 (C)
Fan - Residential, ceiling, exhaust or bath.....	1.00 (C)
Fixture - each.....	0.25 (C)
Furnace, oil .....	5.00 (C)
Heating appliance - each .....	3.00 (C)
Motor or generator - each .....	5.00 (C)
Outlet - each .....	0.25 (C)
Oven .....	3.00 (C)
Pool wiring .....	10.00 (C)
Pre-power inspection requests - Inspection fee:	
Residential.....	40.00 (C)
Commercial .....	50.00 (C)
Service up to 200 amps .....	5.00 (C)
Each additional 100 amps to 1200 amps .....	1.00 (C)
Sign outlet, per circuit .....	3.00 (C)
Subfeed panel.....	2.00 (C)
Temporary service .....	5.00 (C)
Time switch.....	2.00 (C)
Water heater .....	3.00 (C)
Window air conditioning unit .....	5.00 (C)
X-Ray .....	5.00 (C)

**Low Voltage Security Alarm System.....** 40.00 (S)

**Tier 2 Interconnection of Customer Owned Renewable Generation Systems .** 240.00 (C)

**Gas Permit Fees:**

Issuing each permit .....	40.00 (C)
Each gas fixture .....	5.00 (C)

**Building Moving Permits:**

Into or within the City (for buildings over 1,000 square feet) .....	400.00 (C)
Into or within the City (for buildings 1,000 or less square feet).....	200.00 (C)
Outside the City .....	100.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

**Issuance of Temporary Certificate of Occupancy:**

Single family residence.....	85.00 (C)
All others .....	175.00 (C)

**Mechanical Permit Fees:**

Minimum up to \$1,000 valuation.....	40.00 (C)
Each additional \$1,000 to \$25,000 (round to next higher thousand) .....	5.00 (C)
Each additional \$1,000 above \$25,000 .....	2.50 (C)

**Plumbing Permit Fees:**

Issuing each permit .....	40.00 (C)
For installation, alteration or repair of water treatment equipment .....	5.00 (C)
For repair or alteration to drainage or vent piping.....	5.00 (C)
Plumbing fixture floor drain or trap - each.....	5.00 (C)
Repiping - per structure .....	30.00 (C)
Water heater or vent - each .....	5.00 (C)

**Reinspection fee:**

For all trades.....	30.00 (C)
Repeat reinspection on same item .....	100.00 (C)
Continued repeat inspection (3 <sup>rd</sup> visit or more).....	300.00 (C)
After the third inspection there will be a hearing before the Construction Board of Adjustment and Appeals with possible loss of occupational license and a letter to the CILB	
Missed inspection .....	100.00 (C)

**Vacuum Breakers or Backflow Prevention Devices:**

One to five .....	5.00 (C)
Over five, each .....	0.50 (C)
Gasoline and fuel oil tanks (residential).....	10.00 (C)
Septic tank or drain field - each .....	10.00 (C)
Sewer:	
Commercial - each.....	60.00 (C)
Residential - each .....	50.00 (C)
Replacement of house sewer:	
20' or more in length.....	50.00 (C)
Less than 20' in length.....	20.00 (C)
Sprinkler system .....	15.00 (C)

**Vehicle for Hire Fees: (Driver permit fees valid from October 1 to September 30)**

Taxi Driver permit (per driver, per year).....	60.00 (C)
Non-Motorized Vehicles:	
Application Fee (one time fee per business) .....	40.00 (C)
Driver Permit:	
Initial fee, per driver .....	15.00 (C)
Renewal fee, per driver, per year .....	5.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

**Well Permit Fees:**

Issuing each permit .....	40.00 (C)
..... plus \$4.00 per inch or diameter up to 6",	
.....and \$2.00 per inch for each inch over 6" in diameter (C)	

**Landscaping Fees:**

First landscaping inspection (included in permit fee).....	0.00
Re-inspection fee .....	30.00 (C)

**Tree Removal Permits:**

Single family residential .....	35.00 (C)
Non-residential or multi-family property .....	100.00 (C)
Reinspection of tree (second and third visits).....	25.00 (C)
Reinspection of tree (each required visit after the third).....	75.00 (C)
Request for appeals to Tree Preservation Board .....	35.00 (C)
Compensation for removing a protected tree .....	110.00 per caliper inch dbh (C)

**OTHER CHARGES:**

Appeals of Building Code heard by Board of Adjustment & Appeals.....	100.00 (C)
Address change and /or additional requests (commercial and residential):	
Processing Fee for 1 address (all requests – approved or denied).....	15.00 (C)
Processing Fee per address for additional addresses	
(all requests – approved or denied) .....	5.00 (C)
Letter of Reciprocity for contractors .....	15.00 (C)
Off-site advertising sign permit .....	50.00 (C)
Annual outdoor advertising sign permit (per sign) .....	50.00 (C)
Street name petitions (per application) .....	300.00 (C)
Advertising space on Park Avenue Street Directory Kiosks (Annual Rates)*:	
20" high by 9" wide panel .....	804.00 (C)
20" high by 18" wide panel .....	1,608.00 (C)
40" high by 18" wide panel .....	3,216.00 (C)
60" high by 18" wide panel .....	4,824.00 (C)
Banners:	
North Park Ave. (Morse Blvd. to Webster Ave., 17 poles).....	510.00 (C)
South Park Ave. (Fairbanks Ave. to Morse Blvd., 16 poles).....	480.00 (C)
E. Morse Blvd. (US 17-92 to Pennsylvania Ave., 10 double sided poles) .....	600.00 (C)
W. Morse Blvd. (Pennsylvania Ave. to Interlachen Ave., 11 double	
sided poles) .....	660.00 (C)
New England Ave. (New York Ave. to Hannibal Square West, 16 poles).....	480.00 (C)
Pennsylvania Ave. (Lyman Ave. to Israel Simpson Ct., 26 poles).....	780.00 (C)
N. Orange Ave. (Fairbanks Ave. to Minnesota Ave., 20 poles) .....	600.00 (C)
S. Orange Ave. (Denning Dr. to US 17-92, 20 poles).....	600.00 (C)
Street Pole Signs:	
One time initial posting fee .....	450.00 (C)
Annual participation fee .....	100.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

Administrative charge for having overgrown properties mowed, cleaned or cleared of debris, hazardous trees or other unsightly articles .....	150.00 (C)
Administrative charge for repeated mowing or clearing of properties .....	300.00 (C)
Recording documents with Orange County:	
Notice of Commencement .....	20.00 (C)
Deed Covenant .....	30.00 (C)

\*Requires a twelve-month contract with one half of the annual amount due upon reservation of the advertising space. The remaining balance will be billed in equal monthly installments.

**PUBLICATIONS:**

Community Redevelopment Agency Plan .....	15.50 (C)
Community Redevelopment Agency Plan Amendment for Expansion Area.....	13.65 (C)
Comprehensive Plan Goals, Objectives and Policies .....	60.00 (C)
Comprehensive Plan Data, Inventory and Analysis .....	85.00 (C)
CD of Comprehensive Plan Goals, Objectives and Policies and Data, Inventory and Analysis .....	10.00 (C)
Land Development Code .....	30.00 (C)
Land Development Code (zoning article only) .....	15.00 (C)
Historic Resources Survey (color copy) .....	58.00 (C)
Historic Resources Survey (black & white copy) .....	12.80 (C)
Subdivision regulations .....	10.00 (C)
Park Avenue "Architectural Design Guidelines" .....	10.00 (C)
Morse Boulevard "Facade Design Guidelines" .....	10.00 (C)

The 2010 Florida Building Code may be purchased through the Building Officials Association of Florida website: [www.boaf.net](http://www.boaf.net)

or the International Code Council website: <http://shop.iccsafe.org/codes/state-and-local-codes/florida.html>

The 2008 National Electrical Code can be purchased through the Building Officials Association of Florida website: [www.boaf.net](http://www.boaf.net)

or the National Fire Prevention Associate website:  
<http://www.nfpa.org/catalog/product.asp?pid=700858SB&cookie%5Ftest=1>

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**BUILDING AND PERMITTING FEES (continued)**

**Maps:**

Zoning and future land use map (digital form) .....	60.00 (C)
Zoning map .....	10.00 (C)
Future land use map .....	10.00 (C)

**Retrieval and research of plans and documents in storage**

(Research and copying costs not included).....	15.00 (C)
Additional research .....	20.00 (C)

**Listings:**

Business Listings:*	
Printed (per page).....	0.50 (C)
Label ready format, sheet of 20 (per page)** .....	2.00 (C)
On diskette (per disk)*** .....	6.00 (C)

* The above orders will include a \$50.00 per hour labor/computer charge; 15 minimum (\$12.50). Orders will be taken with a three to four day turn around time.
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** Labels will not be provided, but the listing will be printed in a copy ready format to reproduce on a label readily available for purchase by the requestor at any office supply retailer.
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**PUBLIC WORKS FEES**

**Street Division:**

Regular rates (per hour):

Division chief .....	44.70 (C)
Assistant division chief .....	36.40 (C)
Field supervisor .....	33.00 (C)
Foreman/crew leader .....	31.00 (C)
Traffic Control employee .....	25.00 (C)
Traffic Signal worker .....	30.00 (C)
Equipment Operator II and III .....	29.00 (C)
Street sweeper/Operator I .....	24.00 (C)
Maintenance Worker .....	23.00 (C)
Crew (1 Supervisor and 2 Workers) .....	79.00 (C)

Overtime rates (per hour):

Division chief .....	67.05 (C)
Assistant division chief .....	54.60 (C)
Field supervisor .....	49.50 (C)
Foreman/crew leader .....	46.50 (C)
Traffic Control employee .....	37.50 (C)
Traffic Signal worker .....	45.00 (C)
Equipment Operator II and III .....	43.50 (C)
Street sweeper/Operator I .....	36.00 (C)
Maintenance Worker .....	34.50 (C)
Crew (1 Supervisor and 2 Workers) .....	118.50 (C)

Holiday rates (per hour):

Division chief .....	89.40 (C)
Assistant division chief .....	72.80 (C)
Field supervisor .....	66.00 (C)
Foreman/crew leader .....	62.00 (C)
Traffic Control employee .....	50.00 (C)
Traffic Signal worker .....	60.00 (C)
Equipment Operator II and III .....	58.00 (C)
Street sweeper/Operator I .....	48.00 (C)
Maintenance Worker .....	42.40 (C)
Crew (1 Supervisor and 2 Workers) .....	158.00 (C)

Equipment: (per hour)

Excavator .....	60.00 (C)
Front end loader .....	60.00 (C)
Vaccon .....	60.00 (C)
Bucket truck .....	60.00 (C)
Rubber tire backhoe .....	30.00 (C)
Street sweeper .....	30.00 (C)
Semitractor w/trailer .....	50.00 (C)
Tandem Dump truck .....	30.00 (C)
Flatbed truck .....	20.00 (C)
Pickup truck .....	10.00 (C)
Bobcat/skid steer .....	22.00 (C)
Miscellaneous drills, saws, 3-4 inch water pumps .....	10.00 (C)
6" well point/by pass pump .....	20.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**PUBLIC WORKS FEES (continued)**

**Street Division (continued):**

Barricade daily rental (each) .....	1.50 (C)
Maintenance of traffic service vehicle .....	20.00 (C)
Mobilization fee .....	5% of invoice prior to admin costs (C)

**Facilities Maintenance:**

Regular rate (per hour):	
Custodial .....	24.10 (C)
Supervisor .....	43.50 (C)
Tradesman .....	30.75 (C)
Overtime rate (per hour):	
Custodial .....	34.18 (C)
Supervisor .....	62.34 (C)
Tradesman .....	44.11 (C)
Holiday rate (per hour):	
Custodial .....	44.25 (C)
Supervisor .....	81.17 (C)
Tradesman .....	57.46 (C)
Vehicle charge (per hour).....	14.00 (C)
Decorative Street Light Installation (per pole) .....	250.00 (C)
Decorative Street Light Maintenance (per pole/per month).....	2.43 (C)

**Engineering:**

Driveway fee:	
Basic fee.....	50.00 (C)
Additional fee for reinspection .....	30.00 (C)
Final plat review - per lot .....	100.00 (C)
Pressure test reinspection fee.....	100.00 (C)
Project inspection fee:	
Construction cost:	
\$ 0 - \$ 5,000.....	10% of construction cost (M)
\$ 5,000 - \$ 20,000.....	\$500 plus 4% above \$5,000 (M)
Over \$ 20,000 .....	\$1,000 plus 3% above \$20,000 (M)
Lift stop work order .....	100.00 (M)
Neglect or failure to schedule required inspection.....	100.00 (M)
Failure to have City approved site grading plan on site for inspection .....	100.00(M)
Right-of-way Permit Fee .....	90.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PUBLIC WORKS FEES (continued)**

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**Engineering, continued:**

Right-of-way permit for construction projects utilizing all or part of street/sidewalk (daily rate equals 1/10 of the monthly rate for each day:

Blocking sidewalk .....\$1,000.00 per month (M)

Blocking lane of traffic:

Over 5,000 vehicles per day .....\$5,000 per month (M)

Under 5,000 vehicles per day .....\$2,000 per month (M)

Blocking parking lane:

Inside Central Business District .....\$3,000 per month (M)

Outside Central Business District .....\$1,000 per month (M)

Transverse cuts:

Open cut - paved areas (each cut) ..... 270.00 (C)

Open cut - right-of- way (each cut) ..... 110.00 (C)

Open cut - dirt road (each cut) ..... 150.00 (C)

Bore and jack (each operation) ..... 200.00 (C)

Copies of blueprints ..... 5.00 (C)

**Keep Winter Park Beautiful:**

Engraved bricks - Farmer's Market Lot:

Single size (4 \* 8) - Individuals or Pets .....80.00 (M)

Double(8 \* 8) ..... 120.00 (M)

Corporate .....250.00 (M)

Personalized park benches, various locations .....2,500.00 (M)

Maps, each .....3.00 (M)

Maps, 200 or more each ..... 1.50 (M)

Dance lessons & sessions .....80.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**REFUSE SERVICE FEES**

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**Monthly Refuse Service Fees:**

Residential pickup fee (with recycling bins) .....	18.50 (C)
Residential recycling cart fee (per recycling cart).....	2.70 (C)
Residential charge for each additional garbage cart above two .....	9.30 (C)
Additional cart maintenance fee for each garbage cart above two .....	77.97 (C)

Commercial customers utilizing the cart collection system (per cart) .....	31.64 (C)
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**Bulk Pickup – Residential (requires photo and city approval prior to collection):**

Up to 2 cubic yards .....	80.55 (C)
Each additional cubic yard above 2 .....	33.57 (C)

Bulk yard waste in excess of 3 yards (per each additional yard) .....	12.00 (C)
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Compactor charges for Center Street corridor .....	Actual Cost
Compactor charges are allocated to the establishments they serve based on square footage and intensity of use factors.	

Other commercial, compactor and roll-off fees will be billed directly by Waste Pro

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**STORMWATER FEES**

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**Monthly Stormwater Utility Fees:**

Single family residential property: (based on square feet of impervious area:

Class 1 (1,099 and smaller).....	6.59 (C)
Class 2 (1,100 and 1,699) .....	8.24 (C)
Class 3 (1,700 and 2,299) .....	9.89 (C)
Class 4 (2,300 and 2,899) .....	11.56 (C)
Class 5 (2,900 and 3,499) .....	13.21 (C)
Class 6 (3,500 and 4,099) .....	14.85 (C)
Class 7 (4,100 and 4,699) .....	16.51 (C)
Class 8 (4,700 and 5,299) .....	18.16 (C)
Class 9 (5,300 and 5,899) .....	19.80 (C)
Class 10 (5,900 and 6,499) .....	21.66 (C)
Class 11 (6,500 and 7,099) .....	23.12 (C)
Class 12 (7,100 and 7,699) .....	24.77 (C)
Class 13 (7,700 and 8,299) .....	26.41 (C)
Class 14 (8,300 and 8,899) .....	28.07 (C)
Class 15 (8,900 and higher) .....	29.72 (C)

Multi-family residential property:

Apartment unit - per dwelling unit.....	8.24 (C)
Condominium unit - per dwelling unit .....	8.24 (C)
Duplex - per dwelling unit .....	8.24 (C)

Non-residential/commercial property (per ERU)

(ERU = Equivalent Residential Unit of 2,324 sq. ft.).....	11.56 (C)
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**Stormwater Variance Request** ..... 200.00 (C)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**SHORELINE ALTERATION FEES**

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**Shoreline Alteration Permit:**

Vegetation removal .....	No fee
Revetment or seawall.....	100.00 (C)
Violation of Shoreline Protection Code .....	500.00 (C)

**Dock site plan review (Lakes and Waterways Advisory Board):**

Dock only .....	75.00 (C)
Dock and Boathouse.....	100.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**BOAT USER FEES**

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**Boat Stickers:**

Boat sticker costs are computed according to a formula based upon the horsepower (hp) of the motor, plus the length (lg) of the boat, times (\*) a set amount.

**Annual permit:**

City resident .....	hp + lg * \$0.50 (C)
Non-resident .....	hp + lg * \$0.75 (C)

**Annual commercial permit:**

City resident .....	hp + lg * \$1.00 (C)
Non-resident .....	hp + lg * \$1.50 (C)

**Half-year permit (January 1 to June 30):**

City resident .....	hp + lg * \$0.25 (C)
Non-resident .....	hp + lg * \$0.375 (C)

**Daily user fee**(regardless of size of boat and horsepower of motor)..... \$6.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**UTILITY SERVICE FEES**

**Cut on/off fee:**

New service .....	28.00 (C)
New service - after 4:30 p.m. ....	85.00 (C)
Broken Lock .....	18.00 (C)
Broken Yoke .....	15.00 (C)
Emergency cut on/off - 7:00 a.m. to 3:30 p.m. ....	No charge (C)
Emergency cut on/off - 3:30 p.m. to 4:30 p.m. ....	28.00 (C)
Emergency cut on/off - after 4:30 p.m. ....	85.00 (C)
Trip charge .....	28.00 (C)
Non-payment – up to 4:30 p.m. ....	42.50 (C)
Non-payment - after 4:30 p.m. ....	85.00 (C)
Broken/damaged curb stop valve replacement fee .....	85.00 (C)
Metering tampering fee .....	75.00 (C)

**Water or Irrigation Deposits:**

Inside City:

5/8 inch * 3/4 inch meter .....	60.00 (C)
1 inch meter .....	85.00 (C)
1 ½ inch meter .....	105.00 (C)
2 inch meter .....	145.00 (C)
3 inch meter .....	225.00 (C)
4 inch meter .....	330.00 (C)
6 inch meter .....	600.00 (C)
8 inch meter .....	Average bill x 3 (C)
10 inch meter .....	Average bill x 3 (C)

Outside City:

5/8 inch * 3/4 inch meter .....	75.00 (C)
1 inch meter .....	100.00 (C)
1 ½ inch meter .....	130.00 (C)
2 inch meter .....	165.00 (C)
3 inch meter .....	270.00 (C)
4 inch meter .....	375.00 (C)
6 inch meter .....	690.00 (C)
8 inch meter .....	Average bill x 3 (C)
10 inch meter .....	Average bill x 3 (C)

**Water and Sewer Deposits:**

Inside City:

5/8 inch * 3/4 inch meter .....	105.00 (C)
1 inch meter .....	120.00 (C)
1 ½ inch meter .....	150.00 (C)
2 inch meter .....	420.00 (C)
3 inch meter .....	510.00 (C)
4 inch meter .....	600.00 (C)
6 inch meter .....	885.00 (C)
8 inch meter .....	Average bill x 3 (C)
10 inch meter .....	Average bill x 3 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**UTILITY SERVICE FEES (continued)**

**Water and Sewer Deposits (continued):**

Outside City:

3/4 inch meter .....	145.00 (C)
1 inch meter .....	165.00 (C)
1 ½ inch meter .....	195.00 (C)
2 inch meter .....	570.00 (C)
3 inch meter .....	675.00 (C)
4 inch meter .....	780.00 (C)
6 inch meter .....	1,140.00 (C)
8 inch meter .....	Average bill x 3 (C)
10 inch meter .....	Average bill x 3 (C)

**Water, Sewer and Garbage Deposits (Inside City Only):**

3/4 inch meter .....	135.00 (C)
1 inch meter .....	150.00 (C)
1 ½ inch meter .....	180.00 (C)
2 inch meter .....	450.00 (C)
3 inch meter .....	540.00 (C)
4 inch meter .....	630.00 (C)
6 inch meter .....	915.00 (C)
8 inch meter .....	Average bill x 3 (C)
10 inch meter .....	Average bill x 3 (C)

**Fire Line Deposits:**

Inside City:

1 inch meter .....	11.25 (C)
2 inch meter .....	32.00 (C)
3 inch meter .....	64.00 (C)
4 inch meter .....	106.50 (C)
6 inch meter .....	200.00 (C)
8 inch meter .....	315.00 (C)
10 inch meter .....	453.00 (C)
12 inch service connection .....	675.00 (C)
16 inch service connection .....	980.00 (C)

Outside City:

1 inch meter .....	14.00 (C)
2 inch meter .....	40.00 (C)
3 inch meter .....	80.00 (C)
4 inch meter .....	133.00 (C)
6 inch meter .....	250.00 (C)
8 inch meter .....	393.00 (C)
10 inch meter .....	566.00 (C)
12 inch service connection .....	843.00 (C)
16 inch service connection .....	1,225.00 (C)

Fire Hydrant Meter Deposit .....	2,000.00 (C)
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**UTILITY SERVICE FEES (continued)**

**Water and Wastewater:**

Commercial plan review fee:

First review .....	125.00 (C)
Each revision .....	50.00 (C)
Utility inspection (per inspection) .....	40.00 (C)

**Meter and Service Installation:**

Inside City:

5/8 inch * 3/4 inch meter .....	772.00 (C)
1 inch meter .....	823.87 (C)
1 1/2 inch meter .....	1,799.73 (C)
2 inch meter .....	1,994.10 (C)
3 inch meter .....	see below
4 inch meter .....	see below
6 inch meter .....	see below
8 inch meter .....	see below
10 inch meter .....	see below

All meters 3" and larger will be calculated at current costs for meter assembly, materials, labor and restoration.

Outside City (\*):

5/8 inch * 3/4 inch meter .....	965.35 (C)
1 inch meter .....	1,029.83 (C)
1 1/2 inch meter .....	2,249.67 (C)
2 inch meter .....	2,492.63 (C)
3 inch meter .....	see below
4 inch meter .....	see below
6 inch meter .....	see below
8 inch meter .....	see below
10 inch meter .....	see below

All meters 3" and larger will be calculated at current costs for meter assembly, materials, labor and restoration plus 25%.

\* above fee plus applicable Orange County Right of Way Utilization Fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**UTILITY SERVICE FEES (continued)**

**Field Testing Meters (flow test):**

5/8 x 3/4 inch meter ..... 28.00 (C)

**Bench Testing Meters:**

Cost of Test - by meter size - Outside Service Contracted:

5/8 x 3/4 inch meter ..... 90.00 (C)

1 inch meter ..... 90.00 (C)

1 1/2 inch meter ..... 231.00 (C)

2 inch meter ..... 241.00 (C)

Cost of Test - by meter size - In-House City Staff Utilized

3/4 inch meter x 2.0 hours ..... 60.50 (C)

1 inch meter x 2.0 hours ..... 60.50 (C)

1 1/2 inch meter x 2.5 hours ..... 70.00 (C)

2 inch meter x 2.5 hours ..... 70.00 (C)

No charges will be assessed to a customer if the meter bench test or field test results are outside acceptable limits.
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**Water Impact Fees:**

Inside City:

5/8 inch \* 3/4 inch ..... 1,100.00 (C)

1 inch ..... 2,750.00 (C)

1 1/2 inch ..... 5,500.00 (C)

2 inch ..... 8,800.00 (C)

3 inch ..... 17,600.00 (C)

4 inch ..... 27,500.00 (C)

6 inch ..... 55,000.00 (C)

8 inch ..... 88,000.00 (C)

Outside City:

5/8 inch \* 3/4 inch ..... 1,375.00 (C)

1 inch ..... 3,440.00 (C)

1 1/2 inch ..... 6,875.00 (C)

2 inch ..... 11,000.00 (C)

3 inch ..... 22,000.00 (C)

4 inch ..... 34,375.00 (C)

6 inch ..... 68,750.00 (C)

8 inch ..... 110,000.00 (C)

**Water Main Extension Fees:**

Inside City, per foot ..... actual cost

Outside City, per foot ..... 1.25 times actual cost

Water main extension fees will be allocated to all affected property owners.
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Other charges to be calculated along with the water main extension fee are connection fees, meter costs and installation, deposits, and backflow service fees.
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**UTILITY SERVICE FEES (continued)**

**Fire Line Installation Fees – includes saddle, tap and tubing to backflow or property line, whichever is closer (inside city):**

1 inch fire line .....	529.00 (C)
2 inch fire line .....	1,274.00 (C)
Larger than 2 inch fire line .....	(actual cost at time of installation)

**Fire Line Installation Fees – includes saddle, tap and tubing to backflow or property line, whichever is closer (outside city):**

1 inch fire line .....	661.00 (C)
2 inch fire line .....	1,773.00 (C)
Larger than 2 inch fire line .....	(actual cost at time of installation)

**Water Main Tapping Fees (Inside City):**

2 inch .....	153.00 (C)
4 inch .....	230.00 (C)
6 inch .....	250.00 (C)
8 inch .....	290.00 (C)
12 inch .....	355.00 (C)

**Water Main Tapping Fees (Outside City):**

2 inch .....	188.00 (C)
4 inch .....	238.00 (C)
6 inch .....	313.00 (C)
8 inch .....	364.00 (C)
12 inch .....	444.00 (C)

**Meter Relocation Fee:**

Inside City:

5/8 inch * 3/4 inch.....	477.00 (C)
1 inch .....	529.00 (C)
1 ½ inch – 2 inch .....	1,267.00 (C)
3 inch - 8 inch .....	Labor and materials (C)

Outside City (\*):

5/8 inch * 3/4 inch.....	670.00 (C)
1 inch .....	735.00 (C)
1 ½ inch – 2 inch .....	1,741.00 (C)
3 inch - 8 inch .....	Labor and materials plus 25% (C)

\* above fee plus applicable Orange County Right of Way Utilization Fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**UTILITY SERVICE FEES (continued)**

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**Sewer Impact Fees:**

Inside City:

Impact fee - single family .....	2,700.00 (C)
Impact fee - multiple dwelling .....	2,700.00 (C)
Impact fee - ERC .....	2,700.00 (C)

Outside City:

Impact fee - single family .....	3,375.00 (C)
Impact fee - multiple dwelling .....	3,375.00 (C)
Impact fee - ERC .....	3,375.00 (C)

**Sewer Laterals:**

Installation Fee:

Inside City:

0-6' Deep.....	1,680.00 (C)
6-12' Deep.....	3,710.00 (C)
>12' Deep.....	Actual Cost

Outside City:

0-6' Deep.....	2,100.00 (C)
6-12' Deep.....	4,638.00 (C)
>12' Deep .....	1.25 x actual Cost

..plus applicable Orange County Right-of-Way Utilization Fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**WATER AND WASTEWATER USAGE FEES**  
**(COST BASED)**

Inside the City Limits				
	Water (Residential)	Water (Commercial/Public Authority)	Water (Irrigation)	Sewer
	Rates per 1,000 gallons of consumption			
Block 1	1.18	1.18	2.50	4.61
Block 2	1.75	1.75	3.34	4.61
Block 3	2.50	2.50	4.28	4.61
Block 4	3.34	3.34	6.20	4.61
Block 5	4.28	4.28	6.20	4.61
Block 6	6.20	4.28	6.20	4.61
Base Charge ERM	8.62	8.62	8.62	10.19
Additional Unit Charge	4.64	4.64	4.64	5.48

Outside the City Limits				
	Water (Residential)	Water (Commercial/Public Authority)	Water (Irrigation)	Sewer
	Rates per 1,000 gallons of consumption			
Block 1	1.47	1.47	3.12	5.76
Block 2	2.18	2.18	4.17	5.76
Block 3	3.12	3.12	5.35	5.76
Block 4	4.17	4.17	7.75	5.76
Block 5	5.35	5.35	7.75	5.76
Block 6	7.75	5.35	7.75	5.76
Base Charge ERM	10.78	10.78	10.78	12.73
Additional Unit Charge	5.80	5.80	5.80	6.85

ERM = Equivalent Residential Meter

Note: sewer charges are capped for residential customers without separate irrigation meters at 14,000 gallons.

# CITY OF WINTER PARK - FEE SCHEDULE

Effective: May 1, 2016

## WATER AND WASTEWATER USAGE FEES (CONTINUED)

The Monthly Base Charge is based on the size of the meter. The applicable Equivalent Meter Ratio in the table below multiplied by the Base ERM Charge above determines the monthly Base Charge.

Bills for water, sewer and irrigation service are determined using the applicable rates in the tables above and the block sizes in the tables below based on customer class and meter size.

### Block Structure Price Breaks by Meter Size:

Commercial/Public Authority Water Block Structure						
Meter Size in Inches	Equivalent Meter Ratio	Usage Up To				Usage Over:
		Block 1 (1,000 gallons/month)	Block 2 (1,000 gallons/month)	Block 3 (1,000 gallons/month)	Block 4 (1,000 gallons/month)	Block 5 (1,000 gallons/month)
¾	1	4	8	12	20	20
1	2 ½	10	20	30	50	50
1 ½	5	20	40	60	100	100
2	8	32	64	96	160	160
3	16	64	128	192	320	320
4	25	100	200	300	500	500
6	50	200	400	600	1,000	1,000
8	80	320	640	960	1,600	1,600
10	115	460	920	1,380	2,300	2,300

Residential Water Block Structure					
Usage Up To					Usage Over:
Block 1 (1,000 gallons/month)	Block 2 (1,000 gallons/month)	Block 3 (1,000 gallons/month)	Block 4 (1,000 gallons/month)	Block 5 (1,000 gallons/month)	Block 6 (1,000 gallons/month)
4	8	12	16	20	20

Irrigation Water Block Structure			
Usage Up To			Usage Over:
Block 1 (1,000 gallons/month)	Block 2 (1,000 gallons/month)	Block 3 (1,000 gallons/month)	Block 4 (1,000 gallons/month)
4	8	12	12

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**ELECTRIC RATES (CONTINUED)**

<b>Non-Demand (100% Load Factor Usage (GS-2)</b>			
(For customers with fixed wattage loads operating continuously throughout the billing period)			
Customer Charges:			
Non Metered Accounts	\$	7.45	per month
Metered Accounts	\$	13.21	per month
Energy Charge	\$	0.033940	per kWh
Fuel Cost Recovery Factor	\$	0.032210	per kWh
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only, first \$5,000)		7.4500%	
EL State Sales Tax (commercial only, over \$5,000)		6.9500%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

<b>Demand (GSD-1)</b>			
Rates will also apply to Temporary Service (TS)			
Applicable for any customer other than residential with a measurable annual kWh consumption of 24,000 kWh or greater per year			
Customer Charges:			
Secondary Delivery Voltage	\$	13.14	per month
Primary Delivery Voltage	\$	166.20	per month
Demand Charge	\$	4.59	per kWh
Energy Charge	\$	0.038300	per kWh
Fuel Cost Recovery Factor	\$	0.035390	per kWh
Delivery Voltage Credit: when a customer takes delivery at primary voltage, the demand charge will be subject to this credit	\$	0.350000	Per kWh
Metering Voltage Adjustment: When a customer takes delivery at primary voltage, the energy charge, demand charge and delivery voltage credit will be subject to this adjustment		1.0000%	
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only, first \$5,000)		7.4500%	
EL State Sales Tax (commercial only, over \$5,000)		6.9500%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**GENERAL SERVICE ELECTRIC RATES (CONTINUED)**

<b>General Service Demand Optional Time of Use (GSDT-1)</b>			
Closed to new customers as of 06-01-2006			
Customer Charges:			
Secondary Delivery Voltage	\$	21.99	per month
Primary Delivery Voltage	\$	178.12	per month
Demand Charges:			
Base Demand	\$	1.15	per kWh
On Peak Demand	\$	3.49	per kWh
Energy Charges:			
On-peak kWh	\$	0.063660	per kWh
Off-peak kWh	\$	0.025820	per kWh
Fuel Cost Recovery Factors:			
On-peak kWh	\$	0.047050	per kWh
Off-peak kWh	\$	0.031270	per kWh
Delivery Voltage Credit: when a customer takes delivery at primary voltage, the demand charge will be subject to this credit	\$	0.350000	Per kWh
Metering Voltage Adjustment: When a customer takes delivery at primary voltage, the energy charge, demand charge and delivery voltage credit will be		1.0000%	
Franchise Fee		6.0000%	
Gross Receipts Tax		2.5641%	
Electric Utility Tax		10.0000%	
EL State Sales Tax (commercial only, first \$5,000)		7.4500%	
EL State Sales Tax (commercial only, over \$5,000)		6.9500%	
Note: only the first \$0.00699 of the Fuel Cost Recovery Factor is subject to the 10.0% electric utility tax.			



# CITY OF WINTER PARK - FEE SCHEDULE

Effective: May 1, 2016

## GENERAL SERVICE ELECTRIC RATES (CONTINUED)

<b>TEMPORARY SERVICE (TS)</b> (Rate from appropriate General Service schedules are applied)
Applicable to any customer for temporary service such as displays, construction, fairs, exhibits and similar temporary purposes
Deposit required at the time of initiating service

<b>Service Charges</b>			
Opening an account at a new service location (permanent connection)	\$	61.00	
Opening an account at a new service location (temporary connection)	\$	104.00	
Utility service application fee	\$	5.00	
Reconnect service	\$	28.00	
Reconnect service after a disconnection for nonpayment or			
Violation of a rule or regulation (up to 4:30)	\$	42.50	
after normal business hours (after 4:30)	\$	85.00	
Dishonored check (NSF)	\$	25.00	Or 5% of the check amount, whichever is greater
Change of account with leaving service active (applicable to multi-housing only)	\$	10.00	
Electric meter tampering fee	\$	75.00	
Disconnect of electric service at the pole	\$	250.00	
Deposit for electric service	\$	250.00	Or two months estimated charges, whichever is greater
Prepare trees around power lines for safe private trimming or removal if necessary			Actual cost

<b>RESIDENTIAL UNDERGROUND SERVICE FEE</b> (applies to single family residential projects only)	
Remodels	3,000.00
200 amp or less	3,000.00
All services to 400 amp	6,000.00
Greater than 400 amp	Cost to serve

Deposit required for electric service:

..... \$250 or two months estimated charges, whichever is greater

# CITY OF WINTER PARK - FEE SCHEDULE

Effective: May 1, 2016

## GENERAL SERVICE ELECTRIC RATES (CONTINUED)

<b>TEMPORARY SERVICE (TS)</b> (Rate from appropriate General Service schedules are applied)	
Applicable to any customer for temporary service such as displays, construction, fairs, exhibits and similar temporary purposes	
Deposit required at the time of initiating service	

<b>Service Charges</b>			
Opening an account at a new service location (permanent connection)	\$	61.00	
Opening an account at a new service location (temporary connection)	\$	104.00	
Utility service application fee	\$	5.00	
Reconnect service	\$	28.00	
Reconnect service after a disconnection for nonpayment or			
Violation of a rule or regulation (up to 4:30)	\$	42.50	
after normal business hours (after 4:30)	\$	85.00	
Dishonored check (NSF)	\$	25.00	Or 5% of the check amount, whichever is greater
Change of account with leaving service active (applicable to multi-housing only)	\$	10.00	
Electric meter tampering fee	\$	75.00	
Disconnect of electric service at the pole	\$	250.00	
Deposit for electric service	\$	250.00	Or two months estimated charges, whichever is greater
Prepare trees around power lines for safe private trimming or removal if necessary			Actual cost

<b>RESIDENTIAL UNDERGROUND SERVICE FEE</b> (applies to single family residential projects only)	
Remodels	3,000.00
200 amp or less	3,000.00
All services to 400 amp	6,000.00
Greater than 400 amp	Cost to serve

Deposit required for electric service:

..... \$250 or two months estimated charges, whichever is greater

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**FIRE LINE FEES**

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**Inside City: (buildings with separate plumbing facilities for fire protection):**

Fire line size (flat rate per month):

1 inch service connection .....	4.25 (C)
2 inch service connection .....	11.87 (C)
3 inch service connection .....	23.84 (C)
4 inch service connection .....	37.02 (C)
6 inch service connection .....	74.51 (C)
8 inch service connection .....	119.19 (C)
10 inch service connection .....	171.39 (C)
12 inch service connection .....	234.03 (C)
16 inch service connection .....	339.34 (C)

**Outside City: (buildings with separate plumbing facilities for fire protection):**

Fire line size (flat rate per month):

1 inch service connection .....	5.33 (C)
2 inch service connection .....	14.86 (C)
3 inch service connection .....	29.78 (C)
4 inch service connection .....	46.26 (C)
6 inch service connection .....	93.12 (C)
8 inch service connection .....	148.96 (C)
10 inch service connection .....	214.22 (C)
12 inch service connection .....	292.53 (C)
16 inch service connection .....	424.19 (C)

**Hourly charges for city employees and equipment in Utilities Services Division:**

Regular rates: (per hour)

Deputy Assistant Director .....	60.99 (C)
Assistant Division Chief .....	33.37 (C)
Field Supervisor .....	37.23 (C)
Equipment Operator .....	27.18 (C)
Foreman/Crew Leader .....	34.36 (C)
Utility Service Worker .....	19.84 (C)

Overtime rates: (per hour)

Deputy Assistant Director .....	91.48 (C)
Assistant Division Chief .....	50.05 (C)
Field Supervisor .....	55.84 (C)
Equipment Operator .....	40.77 (C)
Foreman/Crew Leader .....	51.54 (C)
Utility Service Worker .....	29.76 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**FIRE LINE FEES (continued)**

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**Hourly charges for city employees and equipment in Utilities Services Division (continued):**

Holiday rates: (per hour)

Deputy Assistant Director .....	121.98 (C)
Assistant Division Chief .....	66.74 (C)
Field Supervisor .....	74.46 (C)
Equipment Operator .....	54.36 (C)
Foreman/Crew Leader .....	68.72 (C)
Utility Service Worker .....	39.68 (C)

Vehicle Charges: (per hour)

Flatbed dump truck .....	15.00 (M)
Small dump truck.....	15.00 (M)
Tandem dump truck .....	30.00 (M)
Pickup truck.....	15.00 (M)
Crew cab .....	20.00 (M)
TV Van .....	75.00 (M)
Locator (call duty) van .....	15.00 (M)
Vaccon .....	85.00 (M)
Semitractor .....	60.00 (M)

Equipment Charges: (per hour)

Pumps, daily (bypass and well point) .....	30.00 (M)
Rubber tire backhoe .....	50.00 (M)
Trackhoe .....	75.00 (M)
Portable trailer generator.....	45.00 (M)
Directional boring machine .....	50.00 (M)
Harbin.....	20.00 (M)
Light tower.....	15.00 (M)
Vactron .....	20.00 (M)
Easement hose reel .....	15.00 (M)
Air compressor .....	15.00 (M)
Bobcat .....	25.00 (M)
Misc pumps, saws, compacting equipment, locator equipment, lateral TV camera, hand tools, etc.....	10.00 (M)
Barricade daily rental (each) .....	1.10 (M)

Associated material costs shall be calculated at a rate not to exceed actual cost to the City. Ref: OUC/Winter Park Alliance contract for parts, fittings and supplies.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**CROSS CONNECTION CONTROL PROGRAM FEES**

**Backflow testing charge (per device inside City).....35.00 (M)**

**Backflow testing charge (per device outside City) .....40.00 (M)**

**Replacement charges:**

Inside City:

1 inch PVB ..... 160.00 (C)

1 inch Reduced pressure..... 265.00 (C)

1 ½ inch PVB ..... 365.00 (C)

1 ½ inch Reduced pressure..... 420.00 (C)

2 inch PVB ..... 420.00 (C)

2 inch Reduced pressure..... 510.00 (C)

Outside City:

1 inch PVB ..... 200.00 (C)

1 inch Reduced pressure..... 330.00 (C)

1 ½ inch PVB ..... 450.00 (C)

1 ½ inch Reduced pressure..... 525.00 (C)

2 inch PVB ..... 525.00 (C)

2 inch Reduced pressure..... 635.00 (C)

**Repair charges:**

Repair ¾" – 1" backflow preventors (includes parts and labor) ..... 35.00 (C)

Repair 1 ¼" – 2" backflow preventors (includes parts and labor) ..... 65.00 (C)

All above fees will be added to the customer's next utility bill after the work is completed and satisfactorily tested.
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**UTILITY DEMOLITION DISCONNECT FEES**

**Utility disconnects for demolition:**

**Inside City:**

**Water services (cut and cap behind meter @ property line and installation of hose bib stand):**

5/8" * 3/4" - 1" .....	58.00 (C)
1.5" - 3" .....	81.00 (C)
4" .....	129.00 (C)
6" .....	154.00 (C)
8" .....	193.00 (C)

**Fire lines (cut and cap @ property line):**

2" .....	35.00 (C)
4" .....	129.00 (C)
6" .....	154.00 (C)
8" .....	193.00 (C)

**Sanitary sewer laterals (cut and cap & install cleanout @ property line):**

Up to 6" (per line), 6' deep or less .....	277.00 (C)
Up to 6" (per line), greater than 6' deep .....	539.00 (C)

**Electric services .....** 250.00 (C)

**Outside City:**

**Water services (cut and cap behind meter @ property line and installation of hose bib stand):**

5/8" * 3/4" - 1" .....	72.50 (C)
1.5" - 3" .....	101.25 (C)
4" .....	161.25 (C)
6" .....	192.50 (C)
8" .....	241.25 (C)

**Fire lines (cut and cap @ property line):**

2" .....	43.75 (C)
4" .....	161.25 (C)
6" .....	192.50 (C)
8" .....	241.25 (C)

**Sanitary sewer laterals (cut and cap & install cleanout @ property line):**

Up to 6" (per line), 6' deep or less .....	346.25 (C)
Up to 6" (per line), greater than 6' deep .....	673.75 (C)

**Electric services .....** 250.00 (C)

**Fire hydrant relocation fee:**

Inside City .....	1,850.00 (C)
Outside City .....	2,312.50+ (C)

applicable Orange County permit fees. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**LINE STOP FEES**

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**Inside City:**

**Line stop fees (with contractor or owner support):**

4", single.....	1,835.00 (C)
4", double .....	3,546.00 (C)
6", single.....	2,218.00 (C)
6", double .....	4,312.00 (C)
8", single.....	2,347.00 (C)
8", double .....	4,570.00 (C)
10", single.....	2,870.00 (C)
10", double .....	5,616.00 (C)
12", single.....	3,032.00 (C)
12", double .....	5,944.00 (C)

**Line stop fees (with no support from contractor or owner):**

4", single.....	2,765.00 (C)
4", double .....	5,421.00 (C)
6", single.....	3,148.00 (C)
6", double .....	6,187.00 (C)
8", single.....	3,277.00 (C)
8", double .....	6,445.00 (C)
10", single.....	3,800.00 (C)
10", double .....	7,491.00 (C)
12", single.....	3,962.00 (C)
12", double .....	7,815.00 (C)

**Outside City:**

**Line stop fees (with contractor or owner support):**

4", single.....	2,294.00 (C)
4", double .....	4,432.00 (C)
6", single.....	2,773.00 (C)
6", double .....	5,390.00 (C)
8", single.....	2,934.00 (C)
8", double .....	5,712.00 (C)
10", single.....	3,588.00 (C)
10", double .....	7,020.00 (C)
12", single.....	3,790.00 (C)
12", double .....	9,769.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**LINE STOP FEES (CONTINUED)**

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**Outside City:**

**Line stop fees (with no support from contractor or owner):**

4", single.....	3,323.00 (C)
4", double .....	6,513.00 (C)
6", single.....	3,802.00 (C)
6", double .....	7,471.00 (C)
8", single.....	3,963.00 (C)
8", double .....	7,793.00 (C)
10", single.....	4,617.00 (C)
10", double .....	9,101.00 (C)
12", single.....	4,819.00 (C)
12", double .....	9,505.00 (C)

Support from contractor or owner includes assisting the line stop procedure by excavating around pipe, and provide backhoe as needed. Additional costs may be assessed due to extensive restoration costs as required by FDOT or Orange County.

No support from contractor or owner would indicate that the City will perform the line stop procedure entirely with no assistance from the contractor or owner.

Fees include all fittings and materials required to complete line stop.

Plus Orange County right-of-way permit use fees

**Perform Electro Fusion Process for HDPE Couplings and Fittings (2" – 12", two couplings or fittings max:**

Inside City .....	236.00 (C)
Outside City .....	295.00 (C)

Contractor to prepare work area or excavation, HDPE pipe to be exposed and clean in a safe working environment. City crew will prep pipe and supply necessary equipment to perform electro fusion process. Contractor to furnish couplings or fittings. Additional couplings/fittings shall be fused at the same rate as above. If in the County, City is to be named on the Orange County Permit to enable work to be performed under contractors permit.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**INSTA-VALVE FEES**

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**Inside City:**

**Insta-valve fees (with contractor or owner support):**

4" .....	3,586.00
6" .....	3,879.00
8" .....	4,244.00
10" .....	6,104.00
12" .....	7,216.00

**Inside City:**

**Insta-valve fees (with no support from contractor or owner):**

4" .....	4,783.00
6" .....	4,809.00
8" .....	5,174.00
10" .....	7,134.00
12" .....	8,146.00

**Outside City:**

**Insta-valve fees (with contractor or owner support):**

4" .....	4,483.00
6" .....	4,849.00
8" .....	5,305.00
10" .....	6,630.00
12" .....	9,020.00

**Outside City:**

**Insta-valve fees (with no support from contractor or owner):**

4" .....	5,979.00
6" .....	6,011.00
8" .....	6,468.00
10" .....	8,918.00
12" .....	10,183.00

Support from contractor or owner includes assisting the Insta-vale procedure by excavating around pipe, and provide backhoe as needed.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**INDUSTRIAL WASTE FEES**

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A formula is used to determine the surcharges. The surcharge is proportionate to the water consumption and exceedance of any or all of BOD, TSS or oil and grease. The more water used, the higher the surcharge will be, likewise, the less water used the lower the surcharge will be.

**The charges are based on three factors:**

- Biological Oxygen Demand (BOD) 300 mg/L
- Total Suspended Solids (SS) 300 mg/L
- Oil and Grease 100 mg/L

**Biological Oxygen Demand (BOD):**

BOD is a measurement of the amount of oxygen being depleted in the wastewater. Oxygen depletion can occur because of a number of reasons. The main reason is the decaying of organics. Anything that had life in it at one time will use oxygen in its decaying process. Oxygen is critical for the proper treatment of wastewater. It is very expensive to oxidate wastewater. This test is performed by an independent laboratory. It takes five days to get the results back. The maximum allowable limit is 300 mg/L.

**Total Suspended Solids (SS):**

Total Suspended solids are any solids that will not settle in moving water. This test is performed by an independent laboratory. The laboratory bakes the water out of the sample. The maximum allowable limit is 300 mg/L.

**Oil and Grease:**

Any petroleum product, oil based product, or animal or vegetable fat will show up as an oil or grease. An independent laboratory on an as needed basis performs this test. The maximum allowable limit is 100 mg/L.

**Formula for calculation-** Test results from all 3 parameters express in mg/l will be added for the total surcharge amount plus laboratory fees.

Milligrams per liter TSS-300 times the monthly flow expressed MGD(60,000=0.060)\*3.50=

Milligrams per liter BOD-300\*times the monthly flow expressed MGD(60,000=0.060)\*3.50=

Milligrams per liter Oil & Grease\*100 times the monthly flow expressed MGD(60,000=0.060)\*3.50=

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**INDUSTRIAL WASTE FEES (continued)**

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Re-inspection fees .....40.00 (M)

The IW inspector shall inspect any repairs, replacements or other deficiencies and shall provide written notice of compliance or noncompliance. In the event of continuing noncompliance, re-inspections will be performed.

Hauler registration fee.....40.00 (M)

Registrations shall be effective for a period of three years. The registration required by the City shall be in addition to any other permits, registrations, or occupational licenses required by federal, state, and local agencies having lawful jurisdiction. The registration is not transferable.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**PUBLIC SAFETY FEES**

**POLICE FEES AND FINES:**

**Administration Fees:**

Copies:

Parking or uniform traffic citation .....	0.15 (S)
Double sided copies .....	0.20 (S)
Certified copies .....	1.00 (S)
Reports except traffic or homicide (per page) .....	0.15 (S)
Traffic or homicide reports .....	25.00 (S)
Fingerprinting of civilians (except employee applicants) (city residents) .....	5.00 (C)
Fingerprinting of civilians (except employee applicants) (non-residents) .....	10.00 (C)
Photographs, recordings and videos on CD .....	1.00 (S)
Audio tapes (including 911 calls) .....	1.00 (S)
Video copy of DUI cases .....	1.00 (S)
Background checks .....	5.00 (C)
Crash report .....	2.00 (S)
Good conduct letter .....	10.00 (C)

Research for public records requests estimated at thirty minutes or more will require a deposit based on the estimated time to complete the request and the hourly rate of the employee completing the request and computer time.

**Off-Duty Police Services (three hour minimum):**

Regular Off-Duty Rates per Hour:

Police officer .....	35.00 (C)
Details requiring a police supervisor .....	40.00 (C)

Holiday Off-Duty Rates per Hour:

Police officer .....	48.00 (C)
Details requiring a police supervisor .....	53.00 (C)

**Civil Penalty Fines:**

Interference with overtime parking enforcement .....	50.00 (M)
Tampering with immobilization device .....	100.00 (M)
Removal of immobilization device by enforcement officer .....	75.00 (M)
Skateboarding within central business district .....	10.00 (M)

**Responding to false alarms:**

First response .....	0.00
Second and third response within 6 months of first response .....	0.00
Business:	
Fourth response within 6 months of third response .....	50.00 (M)
All succeeding responses within 6 months of the last response .....	100.00 (M)
Residential:	
Fourth response within 6 months of third response .....	25.00 (M)
All succeeding responses within 6 months of the last response .....	50.00 (M)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PUBLIC SAFETY FEES (continued)**

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**Parking Fines: \***

**Each fine amount includes a \$5.00 surcharge as authorized by Florida State Statute 316.660(4)(a)&(b) and City Code 98.91 to fund the School Crossing Guard programs within the City of Winter Park**

Blocking drive or roadway (travel lane/obstructing traffic).....	25.00 (M)
Bus zone or taxi stand.....	25.00 (M)
Disabled only/permit required.....	255.00 (S)
Double parking .....	25.00 (M)
Extended over lines.....	25.00 (M)
Fire lane/hydrant/red curb .....	110.00 (S)
Loading zone (commercial vehicles only) .....	25.00 (M)
Other .....	25.00 (M)
On parkway .....	25.00 (M)
On sidewalk/crosswalk .....	25.00 (M)
Over posted time limit.....	25.00 (M)
Parking prohibited (yellow curb/no sign) .....	25.00 (M)
Rear or left wheels to curb .....	25.00 (M)
Successive overtime (each offense) .....	45.00 (M)
Unauthorized (reserved) space .....	25.00 (M)
Where signs prohibit.....	25.00 (M)
Movement of vehicle in Central Business District to circumvent posted parking restrictions .....	55.00 (M)

* After five days, an additional \$5.00 will be assessed for any of the parking fines listed above.
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* After receiving a mailed <i>Notice of Summons</i> for any or the above parking fines, an additional \$15.00 will be assessed.
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**Traffic signal violations:**

Red light camera infraction .....	158.00 (S)
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**PUBLIC SAFETY FEES (continued)**

**FIRE FEES:**

**EMS Transport Fee:**

Transport:	
BLS.....	720.00 (M)
ALS1.....	925.00 (M)
ALS2.....	1,028.00 (M)

Plus distance transported from incident location to medical facility . 12.00 per mile (M)  
HIPAA qualified patient information package (per patient event)..... 50.00 (C)

**Motor Vehicle Fire Response:**

Motor Vehicle Fire Response: ..... 500.00 (M)

**False Alarm Response fee:**

First response.....	0.00 (M)
Second and third response within 6 months of first response.....	0.00 (M)
Fourth response within 6 months of third response .....	100.00 (M)
All succeeding within 6 months of the last response.....	250.00 (M)
Known alarm is activated by on scene construction workers or alarm company technicians.....	200.00 (M)

**Fire/Rescue Service fees:**

Hourly Charges for city employees and equipment:  
Command unit/Chief officer, per hour or part thereof..... 125.00 (C)  
Engine company, per hour or part thereof..... 225.00 (C)  
Ladder company, per hour or part thereof..... 275.00 (C)  
Rescue unit, per hour or part thereof ..... 200.00 (C)  
Special needs..... Figured on a cost recovery basis (C)  
Hazardous materials cost recovery fees and/or response to intentional, malicious or  
negligently incidents are based on the cost of manpower, equipment and materials  
used.

Fire inspections:  
After hour inspections..... 200.00 (C)  
Maintenance reinspection fee:  
First reinspection ..... No Charge (M)  
Second reinspection ..... 40.00 (M)  
Third reinspection ..... 60.00 (M)  
Fourth reinspection..... 100.00 (M)  
Any subsequent reinspections ..... 100.00 (M)

**Inspector Training fee, per project (\$1,000 minimum project value)** ..... 25.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**PUBLIC SAFETY FEES (continued)**

**Licensing Fees:**

Health Department inspections .....	40.00 (M)
HRS inspections.....	40.00 (M)
Occupational License inspections .....	40.00 (M)

**Permits By Use: (annual registration fee)**

Ammunition, explosives and blasting agents .....	40.00 (M)
Burn permits (bonfires).....	40.00 (M)
Cryogenic fluids.....	40.00 (M)
Dry cleaning plants.....	40.00 (M)
Fire lane permits .....	40.00 (M)
Fireworks.....	40.00 (M)
Flammable/combustible liquids .....	40.00 (M)
High piled combustible stock.....	40.00 (M)
Hazardous chemicals.....	40.00 (M)
LP gas .....	40.00 (M)
Lumber storage .....	40.00 (M)
Places of assembly .....	40.00 (M)
Repair garages.....	40.00 (M)
Tents and air supported structures .....	40.00 (M)

**Plans Review Fees:**

Construction plans review - new and existing:	
\$1,000 value or less (no inspector training fee). ....	25.00 (M)
\$1,001 value or over.....	55.00 plus 0.05% of total work (M)
Revised plans.....	25.00 (unless more than 50% of original plan, then full fee applies) (M)
Construction inspections .....	25.00 or 1/2% of valuation (whichever is greater) (M)
After hour inspections.....	200.00 (M)
Construction reinspection fees:	
First reinspection .....	40.00 (M)
Second reinspection.....	50.00 (M)
Additional reinspection .....	100.00 (M)

**Special Detail Services:**

Personnel requested or required to be detailed for	
Special events (minimum of 3 hours) .....	35.00 per hour/per employee (C)
Special events (supervisor, if necessary).....	\$45.00 per hour/per supervisor (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PUBLIC SAFETY FEES (continued)**

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**Public Education Services:**

Fire station birthday party program:

Basic program .....	175.00 (C)
Plus \$5.00 per person up to a maximum of 20 attendees	
First aid class (per student) .....	20.00 (C)
CPR classes (per student) .....	35.00 (C)
Combination first aid and CPR class (per student) .....	50.00 (C)
Babysitter training class (per student) .....	55.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**PARKS AND RECREATION FEES**

**Adult Sports Team Fees:**

Flag Football and Softball .....	\$450.00 (M)
Men's Basketball League Team Fee.....	\$350.00 (M)

**Field Rental Rates:**

**Cady Way, Martin Luther King, Jr. and Ward Park Baseball, Softball and Multipurpose fields A-1, A-2, C and Showalter East Multipurpose Fields 1, 2:**

Before 5:00 p.m., per hour .....	29.00 (C)
After 5:00 p.m., per hour .....	52.00 (C)
Unscheduled or late reservation rates (less than two full business days), per hour/before 5:00 pm.....	50.00 (M)
Unscheduled or late reservation rates (less than two full business days), per hour/after 5:00 pm.....	75.00 (M)
Field prep (lines), per field each time (standard lining multipurpose field) .....	50.00 (C)
Field prep (lines), per field each time (specialty lining multipurpose field) ...	100.00 (C)
Field prep (lines), for late reservations per multipurpose field .....	100.00 (C)
Field prep (lines), per field each time (standard lining Baseball/Softball).....	25.00 (C)
Field prep (lines), per field each time (specialty lining Baseball/Softball).....	50.00 (C)
Field prep (lines), for late reservations per Baseball Softball field .....	50.00 (C)

All day (8:00 am to 9:00 pm) .....	450.00 (C)
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**Winter Park Youth League Fee:**

Martin Luther King, Jr., Showalter East 1,2 and Ward A1, A2, C .....	25.00 (C)
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**Continuous rate hourly (specific guidelines must be met):**

20% discount for Ward A1, A2, C, Showalter East 1, 2 (specific guidelines required)	
Before 5:00 pm.....	23.00 (C)
After 5:00 pm.....	42.00 (C)

**Ward Park Field B:**

Before 5:00 p.m., per hour .....	40.00 (C)
After 5:00 p.m., per hour .....	75.00 (C)
Unscheduled or late reservation rates (less than two full business days), per hour/before 5:00 pm.....	50.00 (M)
Unscheduled or late reservation rates (less than two full business days), per hour/after 5:00 pm.....	75.00 (M)
Field prep (lines), per field each time (standard lining) .....	50.00 (C)
Field prep (lines), per field each time (specialty lining) .....	100.00 (C)
Field prep (lines), for late reservations per field .....	100.00 (C)
All day (8:00 am to 9:00 pm) .....	450.00 (C)
Winter Park Youth League Fee Field B:.....	30.00 (C)
20% discount for Ward B, C and D (specific guidelines required)	
Continuous rate hourly (specific guidelines must be met):	
Before 5:00 pm.....	32.00 (C)
After 5:00 pm.....	60.00 (C)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**Bus Use Fees:**

Hourly rate (two hour minimum, 100 mile maximum).....	100.00 (M)
Deposit .....	100.00 (M)
Cancellation fee (within 72 hours of scheduled use).....	100.00 (M)

**Program Fees:**

**Recreation ID Card:**

Resident, Military or 1st Responder .....	0.00 (M)
Non-resident.....	15.00 (M)
Card Replacement Fee.....	5.00 (C)

**After School Program:**

Resident(monthly) .....	40.00 (M)
Non-resident (monthly).....	65.00 (M)
Registration fee .....	25.00 (M)
Fee for students qualifying for reduced lunch, (monthly), (City residents only) ...	25.00 (M)
Fee for students qualifying for free lunch, (monthly), (City residents only) .....	15.00 (M)

Teen Summer Camp Program (completed grades 5 – 8, per week):

Resident .....	45.00 (M)
Each Additional Resident Child in same family .....	30.00 (M)
Free/reduced lunch programs, per child .....	30.00 (M)
Non-resident .....	65.00 (M)
Additional non resident child .....	45.00 (M)
Registration fee .....	25.00 (M)

Summer Camp Program (completed grades K – 4, per week):

Resident:	
1st child in family .....	70.00 (M)
Each additional child in family .....	55.00 (M)
Non-resident.....	90.00 (M)
Non Resident Additional Child .....	70.00 (M)
Reduced lunch, 1st child .....	20.00 (M)
Reduced lunch, each additional child.....	10.00 (M)
Registration Fee .....	25.00 (M)
Free lunch, 1st child .....	15.00 (M)
Free lunch, each additional child.....	5.00 (M)
Registration Fee .....	25.00 (M)

School's Out Program (single day camp during school year holidays:

Resident, per day .....	10.00 (M)
Non-resident, per day.....	15.00 (M)
After School Participant.....	5.00 (M)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PARKS AND RECREATION FEES (CONTINUED)**

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Holiday Camps:

Half Session – 2-3 Days

Resident .....	45.00 (M)
Non-resident.....	60.00 (M)
After School Participant.....	25.00 (M)

Full Session – 4-5 Days

Resident, .....	60.00 (M)
Non-resident,.....	85.00 (M)
After School Participant, .....	30.00 (M)

Middle School After School Program:

Resident, with Recreation ID card.....	0.00 (M)
Non-Resident with Recreation ID card (per week).....	20.00 (M)

Other:

Late pick up fee:

1 <sup>st</sup> 30 minutes .....	5.00 (M)
Each additional 15 minutes .....	5.00 (M)
Late payment fee .....	5.00 (M)

General Program Guidelines:

Youth/Teen Program Fees (based on minimum enrollment) .....	Direct Cost
Adult Programs (based on minimum enrollment).....	Direct Costs plus 15%

Contracted program fees will not exceed 110% of the regional market rate for a similar program. CRA funded programs will be offered at a zero to nominal fee.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PARKS AND RECREATION FEES (CONTINUED)**

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Community Center Pool:

Daily (Resident, Military or 1st Responder).....	2.00 (M)
Daily (non-resident).....	4.00 (M)
Group rate (residents, over 15 guests in a group, per group member) .....	1.50 (M)
Group rate (non-residents, over 15 guests in a group, per group member).....	3.50 (M)
Ten visit punch pass (resident) .....	15.00 (M)
Ten visit punch pass (non-resident) .....	30.00 (M)
Pool rental:	
Less than thirty guests (hourly, 2 hour minimum) .....	100.00 (M)
Additional hourly fee per fifteen guests over initial thirty guests.....	15.00 (M)
Deposit .....	100.00 (M)
Pool Party – 2 hours, maximum of 40 guests, normal operational hours.....	125.00 (M)
Individual Pool Pass – (Resident, Military or 1st Responder) .....	55.00 (M)
Individual Pool Pass – (non-resident) .....	80.00 (M)
Family Pool Pass – (residents, up to 5 family members per pass).....	150.00 (M)
Family Pool Pass – (non-residents, up to 5 family members per pass).....	225.00 (M)
Family Pool Pass – (CRA residents, up to 5 family members per pass).....	105.00 (M)
Lap Swim Pass – (Resident, Military or 1st Responder).....	35.00 (M)
Lap Swim Pass – (non-resident).....	50.00 (M)
Lap Swim Pass – (CRA resident).....	30.00 (M)

Fitness/Weight Room:

Annual Pass:

Resident, Military or 1st Responder .....	85.00 (M)
Non-resident.....	160.00 (M)
CRA area resident.....	60.00 (M)
City employee.....	60.00 (M)

Corporate rate:

Gold (includes 60 vouchers, \$60 each per year for each additional voucher over 60, provides access to lap swim, open gym, and open volleyball).....	750.00 (M)
Silver (includes 10 vouchers, \$65 each per year for each additional voucher over 10, provides access to lap swim, open gym, and open volleyball).....	500.00 (M)
Bronze (includes 5 vouchers, \$70 each per year for each additional voucher over 10, provides access to lap swim, open gym, and open volleyball).....	250.00 (M)
Youth Annual Pass (ages 14-21, ages 14-16 will be required to attend training)	
Resident .....	30.00 (M)
Non-resident.....	50.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PARKS AND RECREATION FEES (CONTINUED)**

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Fitness/Weight Room (continued):

Monthly Pass:

Resident, Military or 1st Responder .....	15.00 (M)
Non-resident.....	25.00 (M)
CRA area resident.....	10.00 (M)
City employee.....	10.00 (M)
Daily pass, all users .....	5.00 (M)

Senior Program

Resident, Military or 1st Responder .....	Free with Recreation ID
Non Resident Single Day .....	\$2.00
Non Resident Annually.....	\$15.00

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**CEMETERY FEES**

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**Palm Cemetery:**

Single space - resident.....	5,000.00 (M)
Single space – qualified non-resident .....	5,500.00 (M)
Cremation space - resident .....	850.00 (M)
Cremation space – qualified non-resident.....	900.00 (M)
Baby space .....	150.00 (M)
Qualified non-resident baby space.....	170.00 (M)
Interment of cremains:	
Weekdays.....	350.00 (M)
Saturdays .....	450.00 (M)
Tent for cremains interment:	
Weekdays.....	1,000.00 (M)
Saturdays .....	1,200.00 (M)
Opening and closing charges:	
Weekdays.....	1,200.00 (M)
Weekdays, for graveside services beginning after 5:00 pm).....	1,300.00 (M)
Saturdays .....	1,500.00 (M)
Infant burial.....	750.00 (M)
Disinterment of vault (weekdays only, rules apply) .....	1,200.00 (M)
Mausoleum space (limited number of spaces).....	80,000.00 (M)
Extra Tent for graveside service .....	100.00 (M)
Extra set of chairs .....	50.00 (M)

**Pineywood Cemetery:**

Single space - resident.....	2,500.00 (M)
Single space – qualified non-resident .....	3,000.00 (M)
Baby space .....	150.00 (M)
Qualified non-resident baby space.....	170.00 (M)
Cremation space - resident .....	650.00 (M)
Cremation space – qualified non resident.....	700.00 (M)
Qualified non-resident cremation space.....	480.00 (M)
Interment of cremains:	
Weekdays.....	350.00 (M)
Saturdays .....	450.00 (M)
Tent for cremains interment:	
Weekdays.....	1,000.00 (M)
Saturdays .....	1,200.00 (M)
Opening and closing charges:	
Weekdays.....	1,200.00 (M)
Weekdays, for graveside services beginning after 5:00 pm).....	1,300.00 (M)
Saturdays .....	1,500.00 (M)
Infant burial.....	750.00 (M)
Disinterment of vault (weekdays only, rules apply) .....	1,200.00 (M)
Extra Tent for graveside service .....	100.00 (M)
Extra set of chairs .....	50.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**CEMETERY FEES (CONTINUED)**

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**Columbarium:**

Single or Double space:

Resident .....	2,200.00 (M)
Qualified non-resident .....	2,800.00 (M)
Interment (Saturday) .....	350.00 (M)
Tent for columbarium interment .....	300.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**GOLF COURSE FEES (all include sales tax)**

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**Green Fees November-April (Residents/Non-residents):**

Resident/Senior/Active Military Monday-Thursday .....	14.00 (M)
Non Resident Monday - Thursday .....	16.00 (M)
Resident Friday – Sunday, Holidays .....	17.00 (M)
Non Resident Friday – Sunday, Holidays .....	19.00 (M)

**Green Fees May-October (Residents/Non-residents):**

Resident/Senior/Active Military Monday-Thursday .....	12.00 (M)
Non Resident Monday - Thursday .....	14.00 (M)
Resident Friday – Sunday, Holidays .....	15.00 (M)
Non Resident Friday – Sunday, Holidays .....	17.00 (M)

**Green Fees:**

Replay rate for all players .....	7.00 (M)
Resident 9 hole Jr. ticket, up to middle school .....	8.00 (M)
Non-resident 9 hole Jr., up to middle school .....	10.00 (M)
Resident 9 hole high school and college student .....	10.00 (M)
Non-resident 9 hole high school and college student .....	12.00 (M)
City employees rate .....	12.00 (M)

**Annual Play Pass:**

Single resident .....	900.00 (M)
Double resident .....	1600.00 (M)
Single non-resident .....	1080.00 (M)
Double non-resident (family members residing in same household) .....	1700.00 (M)
Senior (resident) .....	810.00 (M)
Senior (non-resident) .....	920.00 (M)
Junior (resident) .....	500.00 (M)
Junior (non-resident) .....	600.00 (M)
Student (resident) .....	600.00 (M)
Student (non-resident) .....	750.00 (M)
Corporate (12 members) .....	9,000.00 (M)
City employee rate .....	900.00 (M)
Ten-Round Pass .....	125.00 (M)

**Cart Rental:**

Electric Cart 9-Hole – Single (includes sales tax) .....	7.00 (M)
Electric Cart 9-Hole – Double (includes sales tax) .....	14.00 (M)
Pull cart (includes sales tax) .....	3.00 (M)
Electric Cart, annual (includes tax) .....	650.00 (M)
Electric Cart, monthly (includes tax) .....	65.00 (M)

Club Rental (includes tax) .....	10.00 (M)
Club Storage, annual (includes tax) .....	125.00 (M)
Club Storage, monthly (includes tax) .....	12.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**GOLF COURSE FEES, CONTINUED (all include sales tax)**

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**Tournament Fees (includes tax):**

Night scramble (40 person minimum) .....	800.00 (M)
Each additional golfer above 40 .....	25.00 (M)
Private scramble (maximum of one per month, 48 person minimum) .....	1,200.00 (M)
Each additional golfer above 48 .....	25.00 (M)

**Advertising:**

Scorecard ad space (one year, per ad) .....	1,000.00 (M)
Premium scorecard ad space (one year, per ad) .....	1,500.00 (M)

Groupon, and other such marketing discounts as well as seasonal discounts may be offered at the discretion of the City Manager

**Golf lessons:**

Individual lessons:

Half hour .....	50.00 (M)
Hour .....	80.00 (M)
3 hour package .....	210.00 (M)
5 hour package .....	300.00 (M)
10 hour package .....	500.00 (M)

Playing lessons, per person:

9 holes .....	125.00 (M)
18 holes .....	200.00 (M)

Group lessons, per person:

One hour package:

2 students .....	60.00 (M)
3 students .....	50.00 (M)
4 students .....	40.00 (M)

Three hour package:

2 students .....	150.00 (M)
3 students .....	120.00 (M)
4 students .....	90.00 (M)

Five hour package:

2 students .....	200.00 (M)
3 students .....	150.00 (M)
4 students .....	120.00 (M)

Ten hour package:

2 students .....	300.00 (M)
3 students .....	200.00 (M)
4 students .....	150.00 (M)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**GOLF COURSE FEES, CONTINUED (all include sales tax)**

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Course Rental

Full Course Rental – Daily 7am to Dusk Events - Free to Public.....6,000.00 (M)

Full Course Rental – Daily 7am to Dusk – Paid Admission Events.....12,000.00 (M)

Admission/Income percentage subject to negotiation.

Croquet Court Rental –

Daily Rate Only – Free to Public or Private .....\$1000.00 (M)

Daily Rate Only – Paid Admission Events .....\$2000.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**TENNIS FEES**

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**Tennis Court Rental:**

**Annual Play Pass Fees:**

Six-Month Annual Play Passes:

All Courts:

Resident- one adult .....	185.00 (M)
Resident - family (2 or more) .....	275.00 (M)
Resident - youth (17 or under) .....	86.00 (M)
Non-resident - one adult .....	246.00 (M)
Non-resident - family (2 or more) .....	327.00 (M)
Non-resident - youth (17 or under) .....	115.00 (M)
City employee .....	84.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

Hard Courts Only:

Resident- one adult .....	84.00 (M)
Resident - family (2 or more) .....	150.00 (M)
Resident - youth (17 or under) .....	45.00 (M)
Non-resident - one adult .....	155.00 (M)
Non-resident - family (2 or more) .....	230.00 (M)
Non-resident - youth (17 or under) .....	69.00 (M)
City employee .....	51.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

Annual Play Passes:

All Courts:

Resident one adult .....	336.00 (M)
Resident - family (2 or more) .....	490.00 (M)
Resident - youth (17 or under) .....	126.00 (M)
Non-resident - one adult .....	435.00 (M)
Non-resident - family (2 or more) .....	575.00 (M)
Non-resident - youth (17 or under) .....	173.00 (M)
City employee .....	144.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

Hard Courts Only:

Resident- one adult .....	157.00 (M)
Resident - family (2 or more) .....	276.00 (M)
Resident - youth (17 or under) .....	69.00 (M)
Non-resident - one adult .....	252.00 (M)
Non-resident - family (2 or more) .....	374.00 (M)
Non-resident - youth (17 or under) .....	103.00 (M)
City employee .....	75.00 (M)
Seniors receive a \$25 discount on adult price (age 65 years or older)	

FOR HARD COURTS: With hard court punch card, pay additional \$1.00 to upgrade to clay. With hard court membership, pay additional \$2.00 to upgrade to clay courts up to six upgrades. After six upgrades, member may plan on clay only by upgrading membership to ALL COURT, 10 play punch card or clay court fee.

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**TENNIS FEES (CONTINUED)**

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**Non-Play Pass Fees (\$1.00 off with Facility Use Card pre-tax):**

Singles - 1 ½ hours; Doubles - 2 hours (Residents)	
Clay court (includes tax).....	6.00 (M)
Hard court (includes tax).....	5.00 (M)
City employee:	
Clay court (includes tax).....	3.00 (M)
Hard court (includes tax).....	2.00 (M)
Child, non-prime time, hourly:	
Hard court (includes tax):	
Resident .....	3.00 (M)
Soft court (includes tax):	
Resident .....	4.00 (M)

**Tennis Passes: (10 play passes)**

<b>Clay courts:</b>	
Pass .....	55.00 (M)
<b>Hard courts:</b>	
Pass .....	45.00 (M)

**Adult Tennis Programs:**

Beginning/Intermediate, various times, four 1-hour sessions, monthly fee ....	50.00 (M)
Drop in fee.....	20.00 (M)
Men's Advanced, Mondays, 7:00 – 8:30pm, four sessions, monthly fee .....	97.50 (M)
Drop in fee.....	30.00 (M)
Various 1-hour adult non-team clinic, various times, hourly fee.....	9.00 (M)
Friday night clay court round robin, 1 <sup>st</sup> and 3 <sup>rd</sup> Fridays, 6:30 – 8:30pm:	
Members .....	0.00 (M)
Non-members.....	6.00 (M)
Men's Challenge Ladder, various times:	
Members (all courts).....	0.00 (M)
Non-members (clay court).....	6.00 (M)
Non-members (hard court).....	5.00 (M)

**Junior Tennis Programs:**

3-4 years old, Tues/Thurs/Sat 45 minutes, monthly fee:	
1 day per week.....	45.00
2 days per week .....	85.00
5-15 years old, Mon-Sat, 60 minutes, one day per week.....	60.00
5-15 years old, Mon-Sat, 60 minutes, two days per week.....	110.00
5-15 years old, Mon-Sat, 60 minutes, three days per week.....	150.00
11 years old, Tues/Thurs/Sat 60 minutes, 2 days per week .....	110.00
Age 10 years and under, Monday/Wednesday, monthly fee:	
Junior pre tournament training, 90 minutes, three days per week .....	150.00

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**TENNIS FEES (CONTINUED)**

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**Junior Tennis Programs (continued):**

After School Programs:

Tournament Training, Tue/Wed/Thu, 4:00 – 6:00pm, monthly fee:	
2 days per week .....	290.00 (M)
3 days per week .....	390.00 (M)
Pre tournament Training, Tue/Thu 5:30 – 7:00 pm, monthly fee:	
2 days per week .....	290.00 (M)
3 days per week .....	275.00 (M)
Middle/High School Summer Camp, day/time TBD, weekly fee .....	275.00 (M)
Recreation Camp, day/time TBD, weekly fee.....	132.00-195.00 (M)
Weekend camp, day/time TBD, daily fee .....	55.00 (M)
Full time program, 5 days per week, 20 hours per week, 2 privates per week included.....	1175.00 (M)
10 hours per week, two privates per week.....	875.00 (M)
Drop in per session.....	50.00(M)

**Other Tennis Fees:**

Private lessons, fee dependent on instructor, hourly .....	40.00 – 95.00 (M)
Semi-private lessons, fee dependent on instructor, half hour .....	40.00 – 95.00 (M)
Group lessons, dependent on instructor, hourly .....	40.00 – 95.00 (M)
Team clinic, dependent on instructor, hourly .....	40.00 – 95.00 (M)
Junior tournament entry fee .....	38.00 - 45.00 (M)
League rate	
(if at least 75% of team roster are not members of tennis center).....	150.00, plus non-member hourly rate (M)
Ball rental machine, hourly.....	20.00 (M)
Annual ball machine membership, per person	
(twenty memberships available).....	150.00
Annual ball machine membership, family	
(twenty memberships available).....	200.00
Special Events	
Member.....	0 – 20.00 (M)
Non Member.....	6.00 – 30.00 (M)

**Groupon, Living Social, SaveMyCity and other such marketing and seasonal discounts may be offered at the discretion of the City Manager**

**Before any contract agreement is reached with such discount organizations and subcontractor, the subcontractor must submit the terms for approval to the City Manager through the Parks and Recreation Department Management.**

**Tennis Instructors must be contracted through management company**

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**TENNIS FEES (CONTINUED)**

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**Tournament Entry Fees: (includes tennis balls)**

Court fee (2 hour time frame, x number of courts x number of two hour time frames =  
base fee:

First day of tournament .....	Base fee, less 10% (M)
Second day of tournament .....	Base fee, less 25% (M)
Third day of tournament .....	Base fee, less 30% (M)
Fourth day of tournament .....	Base fee, less 35% (M)
Fifth day of tournament .....	Base fee, less 40% (M)

No tournaments may be longer than five days, holidays are time and one half rates. The price includes six folding tables and twenty five chairs and a pop up tent.

A roster is required for league and team play. 75% of roster must be members, or pay a \$100 flat fee and the hourly rates.

**Tennis Center Pavilion Rental:**

**Small Pavilion:**

Full day .....	50.00 (M)
Half day .....	30.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**RECREATION FACILITY RENTAL FEES**

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**AZALEA LANE RECREATION CENTER - Meeting room:** (20% discount off regular fee for Resident, Military or 1st Responder 30% discount off regular fee for verified non-profits)

East Room (30' x 30'):

Hourly .....	50.00 (M)
Deposit .....	100.00 (M)
Continuous user (hourly) .....	40.00 (M)

West Room (30' x 50'):

Hourly .....	70.00 (M)
Deposit .....	100.00 (M)
Continuous user (hourly) .....	50.00 (M)

**CIVIC CENTER: (20% discount off regular fee for Resident, Military or 1st Responder, 30% discount off regular fee for verified non-profits)**

Continuous Users (at least 6 times in 6 months):

Ballroom:

Hourly .....	100.00 (M)
Deposit .....	300.00 (M)

Meeting Rooms:

Hourly .....	45.00 (M)
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Kitchen: (set up fee and deposit are not applicable)

Hourly .....	45.00 (M)
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One Time Users:

Ballroom:

Hourly .....	160.00 (M)
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Meeting Rooms:

Hourly .....	70.00 (M)
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Kitchen: (set up fee and deposits are not applicable)

Hourly .....	70.00 (M)
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Ballroom and kitchen:

Fridays and Saturdays (11:00 am – midnight).....	2,000.00 (M)
Deposit .....	500.00 (M)

Entire building for a full day:

Fridays and Saturdays (11:00 am – midnight).....	2,800.00 (M)
Deposit .....	500.00 (M)

Cancellation Fee, Civic Center only:

Cancellation for any reason.....	Full deposit retention
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**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**RECREATION FACILITY RENTAL FEES (CONTINUED)**

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**COMMUNITY CENTER:**

City Resident, Military or 1st Responder/employee discount off regular rental fee	20%
CRA district resident discount off regular rental fee .....	25%
Non-profit organization discount off regular rental fee .....	30%

**Continuous User:**

Small room, A or B or senior room, hourly .....	50.00 (M)
Large room, C or D, hourly .....	70.00 (M)
Ballroom; A,B,C and D combined, hourly 4 hr minimum .....	200.00 (M)
Rooms C, D and kitchen combined, hourly.....	160.00 (M)
Ballroom and kitchen combined, hourly .....	225.00 (M)
Kitchen, hourly.....	30.00 (M)
Amphitheater (outdoor stage), hourly .....	50.00 (M)
Gymnasium:	
Half of gym, hourly .....	40.00 (M)
Entire gym, hourly .....	100.00 (M)
Deposit (each meeting room/amphitheater, kitchen).....	100.00 (M)

**One Time User:**

Small room, A or B or senior room, hourly .....	65.00 (M)
Large room, C or D, hourly .....	95.00 (M)
Ballroom; A,B,C and D combined, hourly .....	275.00 (M)
Rooms C, D and kitchen combined, hourly .....	210.00 (M)
4:00 pm to midnight, Friday, Saturday, Sunday .....	1,225.00 (M)
Ballroom and kitchen combined, hourly .....	325.00 (M)
4:00 pm to midnight, Friday, Saturday, Sunday .....	1,575.00 (M)
Rooms C and D, hourly.....	170.00 (M)
Ballroom, kitchen 4:00 pm to midnight with 2 hour amphitheater.....	1,650.00 (M)
Kitchen, hourly.....	50.00 (M)
Early start fee (events requiring building access before 7:00 am) .....	50.00 (C)
Early set up fee.....	150.00 (M)
Amphitheater (outdoor stage):	
Two hours.....	175.00 (M)
Six hours .....	500.00 (M)
Gymnasium:	
Half of gym, hourly .....	50.00 (M)
Entire gym, hourly .....	125.00 (M)
Deposit:	
Each meeting room/amphitheater, kitchen .....	100.00 (M)
Ballroom A,B,C and D combined.....	400.00 (M)
Unscheduled time premium over regular rate, hourly .....	15.00 (M)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**RECREATION FACILITY RENTAL FEES (CONTINUED)**

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**COUNTRY CLUB (20% discount off regular fee for Resident, Military or 1st Responder, 30% discount off regular fee for verified non-profits):**

**Continuous User:**

Dining Room:	
Hourly .....	70.00 (M)
Deposit .....	100.00 (M)
Club lounge:	
Hourly .....	70.00 (M)
Deposit .....	100.00 (M)
Full building:	
Hourly .....	110.00 (M)
Deposit .....	200.00 (M)
<u><b>One Time User - (Friday and Saturday- Full Building)</b></u>	
Hourly .....	140.00 (M)
4 p.m. to 12 midnight .....	900.00 (M)
Deposit .....	250.00 (M)
<u><b>One Time User - Hourly: (Sunday through Thursday)</b></u>	
Dining Room (hourly) .....	100.00 (M)
Club lounge (hourly) .....	100.00 (M)
Full building (hourly) .....	140.00 (M)
Deposit .....	250.00 (M)

**FARMER'S MARKET:**

**Saturday Market:**

12' x 10' space Outside without electricity (per week) .....	26.00 (M)
Additional 6 feet (per week) .....	14.00 (M)
12' x 10' space outside with electricity (per week) .....	30.00 (M)
Additional 6 feet with electricity (per week) .....	17.00 (M)
12' x 10' inside space without electricity (per week) .....	32.00 (M)
12' x 10' inside space with electricity (per week) .....	35.00 (M)

**Part-Time Vendor Fees:**

12' x 10' Outdoor space without electricity (per week) .....	36.00 (M)
Additional 6 feet without electricity (per week) .....	24.00 (M)
12' x 10' Outside space with Electricity (per week) .....	40.00 (M)
Additional 6 feet with electricity (per week) .....	27.00 (M)
12' x 10' inside space without electricity (per week) .....	42.00 (M)
12' x 10' inside space with electricity (per week) .....	45.00 (M)
Vendor's deposit .....	50.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

**RECREATION FACILITY RENTAL FEES (CONTINUED)**

**Building Rental: (20% discount off regular fee for Resident, Military or 1<sup>st</sup> Responder, 30% discount off regular fee for verified non-profits):**

Continuous User - Hourly: (Sunday through Thursday), hourly ..... 70.00 (M)

One Time User:

Hourly ..... 140.00 (M)

Entire Building

6:00 p.m. to midnight, Fri. and Sat. (set up 4:00 pm – 6:00 pm) ..... 1,400.00 (M)

Parking Lot - in addition to building rental ..... 400.00 (M)

Deposit ..... 300.00 (M)

**LAKE ISLAND HALL RECREATION CENTER - Meeting room : (20% discount off regular fee for Resident, Military or 1<sup>st</sup> Responder, 30% discount off regular fee for verified non-profits):**

Daily rate, Monday - Friday ..... 400.00 (M)

Weekly rate, Monday – Friday, 8:00am – 5:00 pm ..... 500.00 (M)

Continuous User:

Hourly ..... 50.00 (M)

Deposit ..... 200.00 (M)

One Time User:

Hourly ..... 80.00 (M)

Deposit ..... 200.00 (M)

**Winter Park Welcome Center:**

Winter Park Community Foundation Room

(includes catering kitchen, restrooms and outdoor patio):

Weekday for 1 – 4 hours, per hour ..... 70.00 (M)

Weekday for over 4 hours, per hour ..... 60.00 (M)

Series of 4 or more rentals for 1 - 4 hours, per hour ..... 60.00 (M)

Series of 4 or more rentals for over 4 hours, per hour ..... 50.00 (M)

Weekend (all day) ..... 500.00 (M)

Note: rental rates can be reduced by 50% for one half of room

Entire First Floor (includes Galloway Foundation gallery, Welcome gallery and Winter Park Health Foundation Community Room):

Weekday (until 6:00 pm) ..... not available

Weekday (after 6:00 pm), per hour ..... 90.00 (M)

Weekend (all day) ..... 750.00 (M)

Fire marshal, required to be on site for events hosting over 90 people,  
per hour ..... 25.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**RECREATION FACILITY RENTAL FEES (CONTINUED)**

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**Winter Park Welcome Center (continued):**

Additional one-time fees:

Cleaning (for events over 4 hours) .....	30.00 (M)
Staffing (weekdays before 9:00 am and/or after 5:00 pm), per hour .....	20.00 (M)
Staffing (weekends), per hour .....	25.00 (M)
Gallery display use deposit .....	100.00 (M)
Gallery display use cancellation fee (if cancellation is made less than thirty days in advance) .....	25.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PARK FEES**

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**DEPOSITS FOR GROUP EVENTS ARE EQUAL TO EVENT FEE**

**Azalea Lane Playground (20% Resident, Military or 1st Responder discount):**

**Small Pavilion:**

Full day .....	50.00 (M)
Half day .....	30.00 (M)

**Central Park:**

**Group Events:**

Small events (less than 400 people)	
North Park or South Park .....	750.00 (M)
North and South Park .....	1100.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Significant events 2,001 + people .....	2,750.00 (M)
Set up days for event preparation .....	75% of Small Event Fee (M)
Rose Garden wedding .....	200.00 (M)
Resident, Military or 1st Responder .....	160.00 (M)
Deposit .....	100.00 (M)

**Central Park West Meadows:**

**Group Events (fee is doubled for functions charging admission):**

Small events (less than 400 people) .....	750.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Significant events 2,001 + people .....	2,750.00 (M)
Set up days for event preparation .....	75% of Small Event Fee (M)

**Mead Garden:**

**Group Events:**

Small events (less than 400 people) .....	750.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Significant events 2,001 + people .....	2,750.00 (M)
Set up days for event preparation .....	75% of Small Event Fee (M)
Amphitheater (two hours) weekdays .....	300.00 (M)
Weekends (two hours) .....	350.00 (M)
Deposit .....	100.00 (M)

**Large Pavilion (20% resident discount):**

Full day .....	100.00 (M)
Half day (open to noon or 2 pm to close) .....	70.00 (M)

**Lake Baldwin Park:**

**Group Events:**

Small events (less than 400 people) .....	750.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Significant events 2,001 + people .....	2,750.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PARK FEES (continued)**

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Set up days for event preparation .....	75% of Small Event Fee (M)
Large Pavilion (20% Resident, Military or 1st Responder discount):	
Full day .....	90.00 (M)
Half day (open to noon or 2 pm to close) .....	60.00 (M)
Small Pavilion (20% Resident, Military or 1st Responder discount):	
Full day .....	50.00 (M)
Half day (open to noon or 2 pm to close) .....	30.00 (M)
 Martin Luther King, Jr., Park:	
Group Events:	
Small events (less than 400 people) .....	750.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Significant events 2,001 + people .....	2,750.00 (M)
Set up days for event preparation .....	75% of Small Event Fee (M)
East Lawn Area (less than 200 people, hourly before dark) .....	29.00 (M)
Community Playground pavilion (20% Resident, Military or 1st Responder discount):	
Full day .....	90.00 (M)
Half day (open from noon or 2 pm to close) .....	60.00 (M)
Ward Park:	
Large Pavilion (20% Resident, Military or 1st Responder discount):	
Full day .....	100.00 (M)
Half day (open to noon or 2 pm to close) .....	70.00 (M)
Howell Branch Preserve:	
Large Pavilion (20% Resident, Military or 1st Responder discount):	
Full day .....	90.00 (M)
Half day (open to noon or 2 pm to close) .....	60.00 (M)
Observation Deck and Tables:	
Full day .....	50.00 (M)
Half Day (open to noon or 2pm to close) .....	30.00 (M)
 Cady Way Park:	
Group Events:	
Small events (less than 400 people) .....	750.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Set up days for event preparation .....	75% of Small Event Fee (M)
 Shady Park:	
Group Events:	
Small events (less than 400 people) .....	750.00 (M)
Large events (400 – 2,000 people) .....	1,650.00 (M)
Set up days for event preparation .....	75% of Small Event Fee (M)
Pavilion:	
Full day .....	100.00 (M)
Half day (open to noon or 2:00 pm to close) .....	70.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**PARK FEES (CONTINUED)**

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Phelps Park:

Pavilion Rental (2)(20% Resident, Military or 1st Responder discount):

Full day ..... 90.00 (M)

Half day (open to noon or 2:00 pm to close) ..... 60.00 (M)

Kraft Azalea Garden:

Exedra area wedding ..... 200.00 (M)

Resident, Military or 1st Responder ..... 160.00 (M)

Exedra area wedding deposit..... 100.00 (M)

Violation of dog ordinance:

1<sup>st</sup> offense..... 50.00 (M)

2<sup>nd</sup> offense..... 100.00 (M)

Park business permit (monthly):

Twenty attendees or less ..... 35.00 (M)

Over twenty attendees ..... 110.00 (M)

Park Concessionaire Permit:

Category A: Prepackaged food/beverage, no cooking.

Per sales day per sales station..... 25.00 (M)

Per week (three day limit) per sales station..... 60.00 (M)

Per month (12 day limit) per sales station..... 150.00 (M)

Category B: Prepared Food as defined by Florida DBFR.

Per sales day per sales station..... 50.00 (M)

Per week (three sales day limit) per sales station..... 120.00 (M)

Per month (12 sales day limit) per sales station..... 300.00 (M)

**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**SPECIAL EVENT AND MISCELLANEOUS FEES**

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**MISCELLANEOUS CHARGES:**

Inflatables/bounce house permit fee .....	25.00 (M)
Building and Pavilion Holiday Rate .....	Time and ½ Regular (M)
.....	Rental Rates (M)
Facility rental building late payment fee .....	5% of balance due (M)
Special event application fee .....	50.00 (M)
Parks Alcohol Usage Request Application Fee (non-refundable) .....	50.00 (M)
Field rental storage, approximately 100 sq. ft. monthly.....	100.00 (M)
Sat Market Tables, each (round and rectangular, inside use only) .....	8.00 (M)
LCD projector and screen .....	50.00 (M)
Wireless microphone .....	50.00 (M)
Pipe and Drape .....	50.00 (M)
Portable stage .....	100.00 (M)
Scoreboard renter per day, Community Center gymnasium:	
One scoreboard.....	\$20.00 (M)
Both scoreboards .....	\$30.00 (M)
Staffing (per hour) .....	21.00 (M)
Planning, Delivery, Setup, Pick up (per hour) .....	21.00 (M)
Transport Charge/Delivery Pickup .....	30.00 (M)
Crowd control fencing (per 200 feet).....	150.00 (M)
Special event trailer with tables and chairs .....	300.00 (M)
Equipment Rental - Per Event:	
Banquet tables (each, off site events only) .....	5.00 (M)
Folding chairs (each).....	2.00 (M)
Podium (each).....	20.00 (M)
Portable public address system .....	50.00 (M)
Risers 3' x 8' (each).....	40.00 (M)
Riser skirts (each) .....	10.00 (M)
Table skirts (each).....	15.00 (M)
Tent 20' x 40' .....	375.00 (M)
Tent 10' x 10' .....	50.00 (M)
Tent 10' x 10' Fire Rated 701 .....	80.00 (M)
Portable Scoreboard per day .....	50.00 (M)



**CITY OF WINTER PARK - FEE SCHEDULE**  
**Effective: May 1, 2016**

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**SPECIAL EVENT AND MISCELLANEOUS FEES (CONTINUED)**

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Cancellation Fees:

Pavilions and Fields (no deposit is required):

Cancellation with less than 14 days notice .....	No refund (M)
Cancellation with 14-30 days notice .....	Retain 50% of rental fee (M)
Cancellation with 30-90 days notice .....	Retain 25% of rental fee (M)
Cancellation with over 90 days notice .....	\$20 processing fee (M)

Buildings\*, amphitheater, park rentals (deposit is required):

Cancellation with less than 30 days notice .....	Retain 100% of rental fee (M)
Cancellation with 30-60 days notice .....	Retain deposit (M)
Cancellation with 60-90 days notice .....	Retain 50% of deposit (M)
Cancellation with over 90 days notice .....	\$20 processing fee (M)

\* Except Civic Center

A double deposit is required for all functions charging admission and serving alcohol

A double deposit is required for all functions for minors charging admission



# city commission public hearing

Item type	Public Hearing	meeting date	April 11, 2016		
prepared by		approved by	<input checked="" type="checkbox"/> City Manager		
department	Michelle Neuner		<input checked="" type="checkbox"/> City Attorney		
division	City Management		<input type="checkbox"/> N/A		
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote		
strategic objective	<input type="checkbox"/> Exceptional Quality of Life <input type="checkbox"/> Fiscal Stewardship				
	<input type="checkbox"/> Intelligent Growth & Development <input type="checkbox"/> Public Health & Safety				
	<input type="checkbox"/> Investment in Public Assets & Infrastructure				

## subject

Advisory Board Review and Modification

## motion | recommendation

Accept on first reading, recommended ordinance.

## background

In 2011, the City adopted Ordinance 2843-11 consolidating city boards, standardizing board procedures and defining the duties of each board into a single ordinance and repealing all previous ordinances and resolutions related board creation and procedures. Included in the general rules applicable to subsidiary boards, is a provision to sunset and terminate boards not required by statute or charter every five years following May 1, 2011, unless the board is renewed by majority vote of the Commission.

Staff has reviewed the existing board structure and instead of simply providing a list of boards to be continued, has prepared the attached ordinance with additional recommendations as summarized below.

- **Code Enforcement Board** – Retitle to Code Compliance Board.
- **Construction Board of Appeals** – Has a new requirement (HB535) that at least one member is a: fire protection contractor, a fire protection design professional, a fire department operations professional, or a fire code enforcement professional.

- **Ethics Board** – Sunset this board. Their last meeting was 11/2011 and there have been members appointed to the board that never attended a meeting. The board was designed to meet on an as needed basis and have not been assigned topics by the Commission since 2010/2011. This Board could be replaced by a task force if something should arise in the future.
- **Historic Preservation Board** – Duties were updated to be consistent with adopted ordinance.
- **Independent Personnel Board** – Clarify that the Civil Service Board (minus the employee members) serves this role.
- **Keep Winter Park Beautiful and Sustainable** – At the recommendation of the Board Liaison, reduce to 7 members through attrition. Based on current membership, this board would drop to 10 members in the coming year.
- **Pedestrian and Bicycle Advisory Board** – Retitle to Transportation Advisory Board and increase responsibilities to include all transportation related issues.
- **Tree Preservation Board** – Allow the Code Compliance Board to serve this role. The last two cases heard were 12/2012 & 1/2015.
- **Utilities Advisory Board** – Reduce to 7 members through attrition. Based on current membership, this board would be reduced to 7 members in coming year.

## alternatives | other considerations

Any combination of the above may be accepted or rejected at the discretion of the Commission with the exception to the state required position on the Construction Board of Appeals.

## fiscal impact

N/A

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING ARTICLE III OF CHAPTER 2 OF THE CITY OF WINTER PARK CODE OF ORDINANCES REGARDING SUBSIDIARY CITY BOARDS AND COMMISSIONS AS ADOPTED BY ORDINANCE NO. 2843-11 AND AS FURTHER AMENDED BY ORDINANCE NO. 2880-12; PROVIDING FOR RENAMING OF CERTAIN BOARDS AND THE CONSOLIDATION DUTIES OF CERTAIN BOARDS; PROVIDING FOR CITY COMMISSION APPROVAL OF THE CONTINUED EXISTENCE OF CERTAIN BOARDS TO AVOID SUNSETTING; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City has the authority under the City Charter, Section 2(b), Article VIII of the State Constitution, and Section 166.021(1), Florida Statutes, to exercise any power for municipal purposes except where expressly prohibited by law; and

**WHEREAS**, the City Commission has determined that it is in the interest of the residents of Winter Park and other persons doing business with the City to provide for a uniform and comprehensive division within the City Code, to the extent allowed by law, concerning all subsidiary boards and commissions of the City, and to provide for a consolidation of the duties and rules pertaining to certain boards; and

**WHEREAS**, on June 13, 2011, the City Commission adopted Ordinance No. 2843-11 codifying amendments to Article III of Chapter 2 of the City of Winter Park Code of Ordinances; and

**WHEREAS**, on August 13, 2012, the City Commission adopted Ordinance No. 2880-12 further amending Article III of Chapter 2 of the City of Winter Park Code of Ordinances; and

**WHEREAS**, the City Commission desires to further amend Article III of Chapter 2 of the City of Winter Park Code of Ordinances as set forth in this Ordinance; and

**WHEREAS**, the City Commission desires to prohibit the sunseting of certain city boards.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, HEREBY ORDAINS AS FOLLOWS**

Section 1. Recitals. The recitals set forth above are hereby adopted and incorporated by reference.

Section 2. Amendment/Adoption. Article III of Chapter 2 of the City of Winter Park Code of Ordinances is hereby amended to read as follows: (underlined

language are additions; ~~stricken through~~ language are deletions; language not included is not being amended):

### ARTICLE III. - SUBSIDIARY BOARDS OF THE CITY OF WINTER PARK

#### DIVISION 1. - ESTABLISHMENT OF CITY BOARDS

##### Sec. 2-46. - Establishment of city boards.

There shall be established in this division all boards of the City of Winter Park. If a board is required to be in existence by Florida Statute or City Charter, the section providing for the board shall so provide, as well as any special requirements. If, by Florida Statute or Charter there is a requirement with respect to the board that is different than the general rules in this chapter and article, then the requirements of state statute and the Charter shall control.

##### Sec. 2-47. - List and size of boards established.

The following boards and number of members are established. The general requirements are specified in division 2 herein and the board specific requirements are specified in division 3. Unless the City Charter or state law requires a different number of members, each board shall have seven members and one alternate member, although boards that had more than seven members prior to May 9, 2011, shall continue to have the greater number of members plus one alternate, and other boards by ordinance of the city commission may have a greater number of members, as shown hereinafter:

(1) Board of adjustments;

(2) Civil service board (also sits as the independent personnel review board);

(3) Code ~~enforcement~~ compliance board (which also sits as the nuisance abatement board and tree preservation board and performs the functions of a code enforcement board pursuant to F.S. ch. 162);

(4) Community redevelopment agency;

(5) Community redevelopment advisory board;

(6) Construction board of adjustments and appeals;

(7) Economic development advisory board;

~~(8) Ethics advisory board;~~

~~(9)~~ Historic preservation board;

~~(10)~~ Housing authority board;

~~(11) Independent personnel review board;~~

~~(102) Keep Winter Park beautiful and sustainable advisory board —15 members, one alternate;~~

~~(113) Lakes and waterways advisory board;~~

~~(124) Parks and recreation advisory board;~~

~~(135) Pedestrian and bicycle Transportation advisory board;~~

~~(146) Planning and zoning board;~~

~~(157) Public art advisory board - 11 members, one alternate;~~

~~(18) Tree preservation board;~~

~~(169) Utilities advisory board —nine members, one alternate;~~

~~(2017) Winter Park Firefighters' pension board;~~

~~(1824) Winter Park Police Officers' pension board.~~

## DIVISION 2. - GENERALLY

Sec. 2-48. - General rules applicable to subsidiary boards of the City of Winter Park.

(a) Date of appointment of members. With the exception of the civil service board, the members of all boards of the city shall be appointed by the mayor, subject to the approval of the city commission, at the first commission meeting in May of each year or as soon thereafter as possible and such members shall be seated at the first meeting following May 31. The members of the civil service board shall be appointed in December and be seated effective the third Tuesday in January.

(b) Removal of members. Members of city boards shall serve at the will of the city commission and shall be subject to removal at any time, with or without cause, by a majority vote of the city commission. This provision is intended to be supplemental to, and not in conflict with, the provisions of F.S. § 112.501 which concerns the procedure for removal or suspension of a member of a municipal board for cause. In instances when a member is removed for cause, the procedures in F.S. § 112.501 shall apply.

(c) Resignations. Members of all boards shall be entitled to resign at any time by delivery of written notice thereof to the city commission.

(d) Quorum. A quorum shall be a majority of the total board membership physically in attendance at a meeting.

(e) Applicability of rules of ethics. No member shall take any action or vote if such vote or action is prohibited by a standard of conduct or voting conflict of interest as defined or prohibited in the code of ethics for public officers and employees stated in F.S. ch. 112 or if such action or vote is in violation of the Code of the City of Winter Park.

(f) Vacancies. The mayor, subject to approval of the city commission, shall promptly fill all vacancies, including alternate members, occurring on city boards. A vacancy shall be filled for the unexpired term of the member whose term becomes vacant.

(g) Alternate members. An alternate member may always participate in board discussions subject to the rules adopted by each board for the conduct of meetings and member discussion at meetings. Unless a member of the board is absent, an alternate member may not make motions or cast a vote at a meeting. However, if a member of the board is absent, then at such meeting where the member is absent, an alternate may make motions and cast a vote in the stead of the absent member. In the event a regular member of a board is removed from office or vacates his or her office prior to the end of the appointed term, the alternate of said board, will automatically advance to the vacated position for the remainder of the regular term without additional action of the city commission. If there is no alternate, the mayor shall appoint subject to commission approval.

(h) Exception to automatic advancement. If a vacancy occurs in a board position within 60 days before the end of the term of the member, the position shall remain vacant until filled as part of the regular appointment process by which the mayor shall appoint the member, subject to the approval of the city commission, at the first commission meeting in May of each year.

(i) Representation by member of third parties. No member of a board shall represent a third party in any proceeding before such board to which the member belongs.

(j) Role and responsibility of members of subsidiary boards of the City of Winter Park. Members of subsidiary municipal boards shall have such authority as provided by law, including ordinances of the City of Winter Park and the City Charter. No member of a board shall exceed his or her delegated authority, and except to the extent Florida law or an ordinance or Charter provision expressly requires the board to perform an adjudicatory function as a quasi-judicial board, the function and duty of each subsidiary board and the members of those boards is limited to acting in an advisory capacity only, by which the members of the various city boards are authorized to receive and gather information, attend board meetings, and apply their best efforts to render advice and recommendations to the Commission of the City of Winter Park in the interest of the city and its residents. Although city boards may make recommendations concerning provisions of the City Code, no member of a city board shall, by virtue of such office, have the authority to represent the City of Winter Park in any action to enforce the City Code or any provision thereof.

(k) Term in office and reappointment. Unless otherwise required by Florida Statutes or City Charter, each member of the city's boards shall have an initial term of three years in office and may be reappointed to one additional consecutive three-year term. Following a



break in service of at least one year, a former member may be appointed again to the same board subject to the limitation expressed herein, that the term shall be for three years with an opportunity to be reappointed for one three-year term immediately following the expiration of the initial three-year term. For good cause shown, the mayor may waive this term limitation, subject to approval by majority vote of the commission. The serving of a partial term of office on a city board shall not count towards the term limits set forth in this subsection.

(l) Attendance, participation by telephone, and procedures if there is lack of a quorum. Each member of a city board shall be automatically terminated from the board if the member misses three consecutive meetings, or if the member is absent from more than 50 percent of the scheduled meetings of the board in any 12-month period. Each member of a city board may participate in a meeting by telephone if he or she gives good cause for the need to appear by telephone, and in such instances the appearance by telephone shall be counted as the member being present at the meeting. However, a member participating by telephone may only vote if a physical quorum is present at the meeting, and votes and other action may not be taken at a meeting unless a quorum of members is physically present at the meeting. Notwithstanding, if a quorum is not physically present, the members who are in attendance may vote to adjourn the meeting for lack of a quorum. And, so long as a meeting is properly noticed and is in compliance with the requirements of the Sunshine Law, less than a quorum of a board may meet for purposes of discussion so long as there is no action or vote taken at such meeting.

(m) Evaluation process. Each city board shall make provision for an annual self-evaluation process by which it and the individual board members are evaluated, and the activity and accomplishments of each board shall thus be annually evaluated and reported to the commission. The city manager shall work with the presiding officer or designee of each city board to insure that the report concerning the evaluation of each board member and each board is presented to the city commissioner prior to the first day of April each year to insure that the information is available before the annual appointment of members at the first meeting in May of each year. The city manager shall develop a standard city form and format for evaluations that will be used for each subsidiary board of the city. The city manager shall recommend the evaluation instrument and format and the city commission shall approve the same with such revisions as the commission determines may be appropriate.

(n) Task forces. The city commission may, from time to time, establish a task force for the study of a particular issue. A task force established by the city commission will have a limited scope of responsibility and will address only the issue or issues designated, and following the study of such matters shall report the findings of the task force to the commission with recommendations. Unless otherwise established by the city commission or extended by action of the commission, no task force shall continue in existence beyond 180 consecutive calendar days following the effective date of the decision, resolution or ordinance providing for the establishment of the task force.

(o) Sunset of boards unless a board is required by statute or Charter. Except for those boards that are required to be in existence pursuant to Florida Statute or City Charter,

each city board shall sunset and terminate every five years following May 1, 2011, unless the board is renewed by a majority vote of the commission. This will allow the commission to evaluate the effectiveness and need for the particular board on a regular basis. Notwithstanding this provision, any advisory board may be terminated at any time by a majority vote of the city commission, unless such board is required by Florida Statute or Charter. The following quasi-judicial boards will not sunset: board of adjustments; planning and zoning; construction board of adjustments and appeals; code ~~enforcement~~ compliance; civil service; lakes and waterways advisory board (to the extent it hears stormwater fees appeals); historic preservation board (to the extent it acts in a quasi-judicial capacity with respect to recommendations for or against rezonings, demolitions, developments, lot splits, lot consolidations or conditional uses that could impact historic resources identified in the Florida Master Site File Survey of the City of Winter Park, reviews applications for certificates of review for designated landmarks, resources and property within designated districts, or approves variances appropriate for the preservation of historic resources in conjunction with applications for certificates of review); and the tree preservation board (to the extent it sits as a quasi-judicial board with respect to the consideration of applications for tree removal permits and appeals to the tree preservation board from any denial of an application or any of the conditions attached to the approval of a tree removal permit, or to the extent it sits as a quasi-judicial board with respect to the recommendation of modification of building plans or variances regarding the preservation of protected trees, or the waiver of up to a maximum of five parking spaces for the purposes of preserving existing protected trees). Additionally, without first complying or satisfying legally imposed conditions, the community redevelopment agency and the housing authority may not be abolished.

(p) Expenses and reimbursement. No member of any board shall receive a salary or fee for service as a member. However, the city manager may authorize reimbursement of necessary expenses for travel, per diem or other expenses if the same are documented in advance and approved by the city manager in writing in advance of the member incurring such expense while on official business for the city, it being a requirement that no expense will be reimbursable unless it is reasonably related to city business performed by a member of a subsidiary board of the City of Winter Park.

(q) Internal rules of conduct. Each board shall adopt such rules as are necessary to the conduct of its business. Each board shall elect a chair and vice-chair from its membership on an annual basis. All meetings of the board shall be in accordance with the Sunshine Law, F.S. § 286.011, and the records thereof shall be public records as required by F.S. ch. 119 unless the record is specifically subject to a statutory exemption. The city manager, city attorney and/or a designated city staff member shall be reasonably available upon request to provide technical support and advice to assure each board that it is operating in conformance with the requirements of law. Each board shall be responsible to keep minutes of its proceedings as required by law, showing at a minimum the date, time and place of the meeting, members physically in attendance, appearing by telephone, and absent, and also showing each matter discussed, moved, and voted upon. The records of each matter voted upon shall show the vote of each member on each question, and those members absent or abstaining or otherwise failing to vote. All of such

records shall be kept, and the minutes and records of official actions shall be public records and retained in the office of the city clerk.

(r) Residency requirement. Unless nonresidency in the City of Winter Park is a requirement of the City Charter, Florida Statutes or division 3 hereof, the mayor shall show preference to residents of the City of Winter Park for appointments to city boards.

(s) Provision of legal and staff services. To the extent not specifically mentioned in division 3 of this chapter and article, a subsidiary board of the City of Winter Park may request from the city manager that the city manager direct staff or the city attorney to provide technical and legal support to the board with respect to such matter or matters that may be identified by the board.

(t) Frequency of meetings. Unless otherwise provided with respect to a specific board of the City of Winter Park, each board shall provide in its internal rules of procedure the frequency and schedule for its meetings. The board shall notify the city clerk and city manager in writing with respect to the schedule of meetings established by such board. Unless a board determines otherwise for good cause, it shall meet monthly. However, if it is not necessary to hold monthly meetings to conduct the business of the board, the board shall provide for an alternative schedule of meetings.

(u) All subsidiary boards shall allow for public comment in the manner required by Chapter 2013-227, Laws of Florida."

Sec. 2-49. - Divisions 1 and 2 apply to all city boards.

Except as otherwise expressly provided in division 3, with respect to a specific board, the Charter, or Florida Statutes, the requirements governing city boards stated in divisions 1 and 2 of this article shall apply to each city board.

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

Sec. 2-50. - Board of adjustments.

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 hereof.

(2) Quasi-judicial proceedings. The board of adjustments shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the

quasi-judicial activity of the board of adjustments is in accordance with the requirements of Florida law.

(3) Authority. The board of adjustments shall have the jurisdiction to hear appeals in specific cases where an owner or authorized owner's representative requests a variance from sections of the land development code. A request for variance shall be subject to the requirements of the public interest and the land development code, and may be appropriate where, because of special conditions, an interpretation of the provisions of the code relating to zoning or signs will result in an unnecessary hardship.

(4) Incorporation into land development code. Subject to the provisions of this article, the requirements and procedures in chapter 58 of the City Code, including article III thereof for zoning, shall apply to the conduct of the business of the board of adjustments. The board of adjustments shall comply with the city's land development code, including the provisions concerning notice and procedures at sections 58-91 and 58-92. By this reference this section is incorporated into the city's land development code.

#### Sec. 2-51. - Civil service board.

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

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

(2) Quasi-judicial proceedings. The civil service board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the

quasi-judicial activity of the civil service board is in accordance with the requirements of Florida law.

(3) Authority. The civil service board shall have such authority and responsibility as set out in chapter 74, article III, section 74-51 et seq., of the City Code, which concerns the civil service board, and shall abide by the procedural and substantive requirements set out in said sections in chapter 74 relating to the board. To the extent the general provisions in divisions 1 and 2 hereof are not in conflict with chapter 74, then the provisions in divisions 1 and 2 shall control. The civil service board (less the two employee members) shall also serve as the independent personnel review board as provided in section 2-61 of the City Code.

Sec. 2-52. - Code ~~enforcement~~ compliance board.

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 hereof. Members shall be residents of the city. In accordance with F.S. § 162.05(2), the membership of the code ~~enforcement~~ compliance board shall, whenever possible, include an architect, a businessperson, an engineer, a general contractor, a subcontractor, and a realtor.

(2) Quasi-judicial proceedings. The code ~~enforcement~~ compliance board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the code ~~enforcement~~ compliance board is in accordance with the requirements of Florida law.

(3) Authority. The code ~~enforcement~~ compliance board shall have ~~such the authority, responsibility and jurisdiction of a code enforcement board to respond to such matters as are set out in~~ such the authority, responsibility and jurisdiction of a code enforcement board to respond to such matters as are set out in pursuant to F.S. ch. 162 and any other matters provision set forth in the City Code conferring authority or quasi-judicial responsibility on the code ~~enforcement~~ compliance board, including without limitation false fire alarm appeals, pursuant to subsection 46-29(d) and those matters provided for in sections 2-104 through 2-110 of the City Code. The code ~~enforcement~~ compliance board shall also serve as the nuisance abatement board as provided in section 2-81 of the City Code and the tree preservation board as provided in section 2-68 of the City Code. In performing its function, the code ~~enforcement~~ compliance board shall be governed by the procedures set out in Florida law and section 2-101 et seq., of the City Code.

The provisions in divisions 1 and 2 of this article shall apply to the conduct of the code ~~enforcement~~ compliance board except for any provision thereof that conflicts with a

provision in sections 2-104 through 2-110 of the City Code, in which case the conflicting provision in sections 2-104 through 2-110 shall control.

Sec. 2-53. - Community redevelopment agency.

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

(1) Membership. Pursuant to F.S. § 163.356, the term of office of the members of the community redevelopment agency shall be for four years, and the members are referred to as commissioners in said statute. The city commission shall serve as five commissioners on the community redevelopment agency, and the county shall have the right to appoint the sixth commissioner to the agency. The city commission may remove a commissioner of the community redevelopment agency for inefficiency, neglect of duty, or misconduct in office only after a hearing, and only if he or she has been given a copy of the charges at least ten days prior to such hearing and has had an opportunity to be heard in person or by counsel, as provided in F.S. § 163.356(4). Otherwise, the provisions in divisions 1 and 2 of this article shall govern the community redevelopment agency.

(2) Scope of authority. The community redevelopment agency shall constitute a separate and distinct entity to the extent provided under Florida law, and shall have such powers as are provided to community redevelopment agencies as set out in F.S. ch. 163, pt. III, § 163.330 et seq., relating to community redevelopment.

Sec. 2-54. - Community redevelopment advisory board.

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article. Notwithstanding the general requirements stated in divisions 1 and 2 of this article, the membership of the community redevelopment advisory board shall include a minimum of 50 percent residents and business owners within the community redevelopment area subject to the jurisdiction of this board.

(2) Advisory board. The community redevelopment advisory board is an advisory body and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission concerning matters related to community redevelopment. The community redevelopment advisory board shall have no adjudicatory or enforcement authority.

(3) Procedures. The procedures and rules for operation of the community redevelopment advisory board shall be in accordance with the general requirements stated in division 2 hereof.

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

(a) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 hereof. The construction board of adjustments and appeals is a "local construction regulation board" as defined in F.S. § 489.101(12), which means a board composed of not fewer than three residents of the city, appointed to maintain the proper standard of construction within the City of Winter Park. To the extent reasonably possible, the construction board of adjustments and appeals shall include as members a practicing architect, a structural engineer, two licensed construction contractors, a master electrician, a master plumber or, ~~and~~ a mechanical contractor or mechanical engineer. By state statute, this board is required to have at least one fire protection contractor, a fire protection design professional, a fire department operations professional, or a fire code enforcement professional. The alternate member of this board shall also be licensed and employed or practicing in one of these trades. A member of the board may be a nonresident when no qualified resident applies for the membership on the board.

(b) Quasi-judicial proceedings. The construction board of adjustments and appeals shall comply with the requirements of Florida law in the conduct of quasi-judicial proceedings in all matters deemed quasi-judicial, including appeals from the enforcement of any provision of an applicable building code, and a request for a modification of an order of the building official. Upon request, the city attorney or city manager will provide technical support and advice to the construction board of adjustments and appeals for purposes of conducting quasi-judicial proceedings in accordance with the requirements of Florida law.

(c) Authority. The construction board of adjustments and appeals shall have the power to hear appeals of decisions and interpretations of the building official of the Florida Building Code as modified by the City of Winter Park, and shall also have the authority to suspend or revoke the certificate of competency or certification to provide services within the City of Winter Park of any contractor, including any specialty contractor doing work in the city who is found by the construction board of adjustments and appeals to be guilty of one or more of the following acts or omissions:

(1) Fraud or deceit in obtaining a certificate of competency.

(2) Negligence, incompetence, or misconduct in the practice of contracting within the meaning of the City's Code, including its land development code.

(3) Willful and deliberate disregard of, or violation of the City's Code, including its building code, or of any state statute concerning contractor licenses.



(d) Incorporation into building code. The requirements and procedures set out in the city's building code (chapter 22 of the City Code) shall apply to the conduct of the business of the construction board of adjustments and appeals. All activity of this board shall be as set out in the city's building code, subject to the requirements of this article. By this reference this section is incorporated into the city's building code.

(e) Building official and procedures for appealing decisions of the building official. The position of the building official of the City of Winter Park, the scope of his authority on behalf of the city, and the procedures for filing an appeal from a decision of the building official are established in the city's building code, chapter 22 of the City Code.

#### Sec. 2-56. - Economic development advisory board.

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article. The Winter Park Chamber of Commerce President shall be requested to serve as a member of the economic development advisory board.

(2) Advisory board. The economic development advisory board is an advisory board and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission concerning economic development. The economic development advisory board shall have the authority to establish other areas of interest that it deems relevant in the interest of the City of Winter Park and its residents with respect to quality and sustainable economic development consistent with the goals and objectives of the City of Winter Park and the Charter thereof. The economic development advisory board shall have no adjudicatory or enforcement authority.

(3) Procedures. The procedures and rules for operation of the economic development advisory board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article.

#### Sec. 2-57. - Reserved.

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

#### Sec. 2-58. Reserved. ~~Ethics advisory board.~~

~~Pursuant to the City Charter, there is established within the City of Winter Park an ethics advisory board, subject to the following provisions:~~

~~(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article.~~

~~(2) Advisory board. The ethics advisory board is an advisory body and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission concerning matters related to ethics in the governance of the City of Winter Park. The ethics advisory board shall have no adjudicatory or enforcement authority.~~

~~(3) Procedures. The procedures and rules for operation of the ethics advisory board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article.~~

#### Sec. 2-59. - Historic preservation board.

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions in divisions 1 and 2 of this article and section 58-446 of the City Code.

(2) With exception this is an advisory board. The historic preservation board is generally an advisory board with exceptions. With respect to its advisory role, after receiving information it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, the board shall give advice and recommendations to the city commission related to historic preservation. As an exception to the general rule that this is an advisory board, the city commission may, by ordinance or resolution, assign a quasi-judicial function to this board with respect to the approval of variances that are appropriate to the preservation of historic resources in conjunction with applications for certificates of review, and for other matters as determined by the city commission in ordinance or resolution.

(3) Quasi-judicial proceedings. To the extent the city commission by ordinance or resolution shall provide, the board sits as a quasi-judicial body, then in such cases the board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in the land development code (chapter 58) if

applicable. The provisions hereof are deemed to be incorporated by reference into chapter 58 of the City Code relating to historic preservation.

(4) Functions, powers and duties of the historic preservation board. The functions, powers and duties of the board shall be as set out in ~~section 58-446~~ chapter 58, article VIII of the City Code.

#### Sec. 2-60. - Housing authority board.

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

(1) Membership. The provisions of division 1 of this chapter and article shall apply to the membership and means of appointment thereof, subject to the provisions in F.S. ch. 421, including § 421.05.

(2) Independent authority. The housing authority board is an independent housing authority established pursuant to F.S. ch. 421.

(3) Declaration of need. Pursuant to F.S. § 421.04, the city declares that there is a need for the establishment of the housing authority board pursuant to the requirements and provisions of F.S. ch. 421.

(4) Authority and scope of responsibility. The housing authority board shall perform such duties and have such functions as are provided under Florida law for housing authorities, including those requirements specified in F.S. ch. 421 and rules promulgated by administrative agencies of the State of Florida pursuant to chapter 421.

(5) Incorporation of divisions 1 and 2 of this article. The provisions of divisions 1 and 2 of this article are incorporated herein, and shall apply except to the extent of any conflict with state law, in which event any conflicting provision of state law shall control.

#### Sec. 2-61. - Independent personnel review board.

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

(1) Membership. The independent personnel review board shall consist of the five non-city employee members of the civil service board.

(2) Quasi-judicial proceedings. The independent personnel review board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law and

chapter 74, article II, section 74-26 et seq., of the City Code. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the independent personnel review board is in accordance with the requirements of Florida law.

(3) Authority and responsibility. The duties and responsibility of the independent personnel review board are set out in chapter 74, article II, section 74-26 et seq., of the City Code and section 4.05 of the City Charter. These provisions in the Code and Charter are incorporated herein and shall control the operation of this independent personnel review board.

#### Sec. 2-62. - Keep Winter Park beautiful and sustainable advisory board.

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provision in divisions 1 and 2 of this article, except that the number of members shall be no greater than fifteen and no less than seven.~~15 members.~~ It is intent of the city commission for this board to eventually have seven members, and for such reduction to be achieved from attrition over time by not filling vacancies on the board until membership falls below seven members. plus one alternate, and the initial terms in office for the inaugural members of the newly established keep Winter Park beautiful and sustainable advisory board shall be staggered, such that five members will be initially appointed to a term of one year, five members initially appointed to a term of two years, and five members initially appointed to a term of three years. After the initial terms in office are served, the succeeding appointments shall be for the term generally established in chapter 2, article III, for subsidiary boards of the City of Winter Park.

(2) Advisory board. The keep Winter Park beautiful and sustainable advisory board is an advisory board, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission concerning matters related to the environmental, economic and social sustainable of the City of Winter Park. The keep Winter Park beautiful and sustainable advisory board shall have no adjudicatory or enforcement authority. However, the keep Winter Park beautiful and sustainable advisory board shall have the authority to develop and explore opportunities for fundraising and other awareness programs, but all of such opportunities shall be subject to the ordinances, resolutions and policies for such purposes established from time to time by the city commission, and the keep Winter Park beautiful and sustainable advisory board shall have no authority to commit or obligate the city with respect to the terms, conditions, or any other matters related to fundraising or commitments or agreements related to fundraising. The role and function of this board with respect to fundraising is to explore

opportunities and to give advice and make recommendations to the city commission, and in all instances the city commission shall be the responsible entity to enter specific fundraising programs on behalf of the City of Winter Park.

(3) Procedures. The procedures and rules for operation of the keep Winter Park beautiful and sustainable advisory board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article.

**Editor's note**— Ord. No. 2880-12, § 4, adopted Aug. 13, 2012, changed the title of § 2-62 from "Keep Winter Park beautiful advisory board" to "Keep Winter Park beautiful and sustainable advisory board". This historical notation has been preserved for reference purposes.

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

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

(1) Membership. The number of members and the procedures for appointment thereof shall be in accordance with the provisions of divisions 1 and 2 of this article.

(2) With exception this is an advisory board. The lakes and waterways advisory board is an advisory board with one exception, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission related to the protection and improvement of the city's lakes and waterways, with the goal of fostering, maintaining and improving the public stewardship, protection, long-range planning and careful oversight of the implementation of improvement projects for lake and stormwater management. The city acknowledges that the lakes and waterways within the city are a natural resource of great significance. As an exception to the general rule that this is an advisory board, the city commission may, by ordinance or resolution, assign a quasi-judicial function to this board with respect to appeals of decisions related to stormwater fees.

(3) Quasi-judicial proceedings with respect to stormwater fees and appeals thereof. To the extent the city commission by ordinance shall provide that this board will sit as a quasi-judicial body and consider appeals from decisions related to stormwater fees, then in such cases the board shall conduct the quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in chapter 102, sections 102-156 through 102-164, as these provisions may be amended by the city commission. The provisions hereof are deemed to be incorporated by reference into chapter 102 of the City Code, relating to stormwater fees and appeals from decisions related to stormwater fees.

(4) Procedures. The procedures and rules for operation of the lakes and waterways advisory board shall be in accordance with the general requirements stated in divisions 1 and 2 of this article, and in accordance with the requirements under Florida law for quasi-judicial proceedings when the board hears appeals from stormwater fee decisions if such appeals are referred to the board pursuant to city ordinance or resolution.

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

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

(1) Membership. The parks and recreation advisory board shall be established in accordance with the requirements in divisions 1 and 2 of this article.

(2) Advisory board. The parks and recreation advisory board is strictly an advisory board and shall have no adjudicatory or enforcement authority. If any provision of the Code requires processing of any matter through the parks and recreation advisory board, then the purpose of such requirement is for the parks and recreation advisory board to consider the request and to give advice to the city manager and the city commission (if the matter will reach the city commission). The purpose of such proceeding will not be quasi-judicial in nature.

(3) Purpose and duties. The parks and recreation advisory board shall promote the parks and recreation programs of the city and will guide, advise and recommend to the city commission policies and actions regarding the promotion, planning, design, construction and utilization of city parks and recreation programs. The duties of the parks and recreation board will generally be to:

- a. Advise and assist the city commission, the city manager and the various boards of the city in all matters involving or affecting parks and recreation.
- b. The parks and recreation advisory board shall recommend policies for the improvement, creation, use and maintenance of city parks and recreation programs.
- c. The parks and recreation advisory board shall recommend budgetary or special appropriations for parks and recreation programs.
- d. The parks and recreation advisory board shall recommend plans for the future growth, development, use and beautification of city parks.
- e. The parks and recreation advisory board shall periodically provide the city commission the public regarding the programs and facilities related to parks and recreation.

Sec. 2-65. - ~~Pedestrian and bicycle~~ Transportation advisory board.

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

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

Sec. 2-66. - Planning and zoning board.

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

(1) Membership. The membership of the planning and zoning board shall be appointed pursuant to the provisions in divisions 1 and 2 of this article. Notwithstanding the general requirements in divisions 1 and 2 of this article, consideration in the appointment process will be given such that if reasonably possible, the membership of the planning and zoning board shall include a Florida licensed architect, a Florida licensed landscape architect, or a Florida licensed civil engineer.

(2) Quasi-judicial proceedings. The planning and zoning board shall conduct its quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that the quasi-judicial activity of the planning and zoning board is in accordance with the requirements of Florida law.

(3) Authority and responsibilities. The planning and zoning board shall have such authority and responsibilities as are set out in the land development code, including the provisions in chapter 58 of the City Code, and section 58-88 et seq., of the Code. The procedures that the planning and zoning board shall abide by are those set out in the city's land development code, subject to the requirements of Florida law with respect to quasi-judicial proceedings involving land use decisions. By this reference, this section is incorporated into the city's land development code.

#### Sec. 2-67. - Public art advisory board.

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

(1) Membership. The public art advisory board shall be established in accordance with the requirements of divisions 1 and 2 of this article. The procedures set out in divisions 1 and 2 of this article shall control the operation of the public art advisory board, subject to the specific provisions hereinafter provided. If reasonably available, consideration shall be given to include in the membership of the public art advisory board an architect, including a landscape architect, an artist, a representative from a museum or art gallery, an experienced business person and a resident representative of the residential community.

(2) Advisory board. The public art advisory board is an advisory board and shall have no adjudicatory or enforcement responsibilities or authority.

(3) Responsibilities and function of the public art advisory board. The public art advisory board shall set out its rules for conducting business in accordance with the requirements of divisions 1 and 2 of this article, and following the receipt of information and



deliberation, the public art advisory board shall have the following responsibilities and scope of service:

- a. Following the receipt of data from various sources and deliberation, the public art advisory board shall provide advice and recommendations to the city commission for the siting of public art, and in making these recommendations, the public art advisory board shall endeavor to perform visual inspections of sites to ascertain the physical, cultural and historical aspects of sites being recommended to the city commission.
- b. The public art advisory board shall develop and facilitate a composite map identifying signature opportunities within the city for public art.
- c. The public art advisory board shall interview and recommend public art projects and assist in the selection of artists for possible public art projects, but in such respect, the action shall be strictly as an advisory board for the purpose of making recommendations to the city commission.
- d. The public art advisory board shall develop a public arts action plan and recommend the same to the city manager and city commission for the implementation of educational and organizational opportunities related to and concerning public art.
- e. The public art advisory board shall establish and maintain liaison with other public and private agencies involved with public art.
- f. The public art advisory board shall advise the city commission and city manager in all matters involving or affecting public art.
- g. The public art advisory board shall periodically inform the city commission and the general public regarding programs involving public art within the City of Winter Park.

#### Sec. 2-68. - Tree preservation board.

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

(1) Membership. The members of the code compliance board shall serve as the tree preservation board. ~~The number of members and the procedures for appointment thereof shall be in accordance with the provisions of divisions 1 and 2 of this article. The membership shall include three of its members coming from other boards as provided in subsection 58-283(d) of the City Code.~~

(2) With exception, this is an advisory board. The tree preservation board is generally an advisory board with exceptions, and shall, after receiving such information as it deems appropriate, and following due deliberation in accordance with its internal rules and procedures, give advice and recommendations to the city commission related to the

protection and improvement of the city's trees, with the goal of fostering, maintaining and improving the public stewardship, protection, long range planning and careful oversight of the implementation of improvement projects for the maintenance, preservation, growth and enhancement of trees within the City of Winter Park. The city acknowledges that its trees and tree canopy are a natural resource of great significance.

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

(3) Quasi-judicial proceedings. To the extent the city commission by ordinance provides that this board has quasi-judicial authority, the board shall conduct such quasi-judicial proceedings in conformance with the requirements of Florida law. The city manager and city attorney shall provide technical support and resources upon request to assure that this quasi-judicial activity of the board is in accordance with the requirements of Florida law. In such proceedings, the board shall be governed by the substantive and procedural requirements set out in the City Code, including those provisions set out in chapter 58, as these provisions may be amended by the city commission.

#### Sec. 2-69. - Utilities advisory board.

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

(1) Membership. The utilities advisory board shall be established pursuant to the procedures in divisions 1 and 2 of this article, except that the board shall have no more than nine members and no less than seven members. It is the intent of the city commission for this board to eventually have seven members, and for such reduction to be achieved from attrition over time by not filling vacancies on the board until membership falls below seven members. To the extent reasonably possible, the membership shall consist of licensed professionals without conflict of interest who have expertise in the utilities and infrastructure for provision of utility services, or the legal and business aspects of providing the subject utility services to the customers of the municipal utility systems within the City of Winter Park. One member shall be a nonresident customer of the water and sewer utility.

(2) Advisory board. The utilities advisory board is an advisory board and shall have no enforcement or adjudicatory authority or responsibility.

(3) Functions and responsibility. The utilities advisory board shall organize itself and develop rules for procedure in accordance with the requirements of divisions 1 and 2 of this article. Following the receipt of information and deliberation, the utilities advisory board shall advise the city commission, city manager and the management of the various utility service departments and authorities servicing the City of Winter Park regarding the following matters:

a. The utilities advisory board shall make recommendations concerning opportunities for enhancement, expansion, maintenance, improvement and development of utility services within the City of Winter Park.

b. The utilities advisory board shall make recommendations regarding improvements to safety and procedures in the provision of utility services within the City of Winter Park.

c. The utilities advisory board shall make recommendations concerning the improvement of fiscal responsibility in connection with the provision of utility services, and will explore opportunities to make utility services available at a reasonable rate to the customers and residents of the City of Winter Park.

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

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

(1) Membership. The board of trustees of the firefighters' pension board shall be appointed pursuant to the provisions in section 74-153, City Code.

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

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

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

(1) Membership. The board of trustees of the police officers' pension board shall be appointed pursuant to the provisions in section 74-203, City Code.

(2) Responsibilities and function. The police officers' pension board shall operate in accordance with the requirements of Florida law and section 74-203 et seq., of the City Code as the code relates to the police officers' pension board and the duties and responsibilities of that board.

Secs. 2-72—2-80. - Reserved.

#### DIVISION 4. - NUISANCE ABATEMENT BOARD

Sec. 2-81. - Nuisance abatement board created; composition.

(a) There is hereby created and established a subsidiary board of the City of Winter Park known and designated as the nuisance abatement board.

(b) The members of the code ~~enforcement~~ compliance board established pursuant to section 2-47 and section 2-52 of the Municipal Code shall constitute the members of the nuisance abatement board and shall perform the duties and functions of the nuisance abatement board.

(c) The nuisance abatement board shall perform such functions as required by law, including applicable provisions of this Code.

Sec. 2-82. - Complaint procedures.

(a) The nuisance abatement board shall hear complaints alleging that any place or premises within the city constitutes a public nuisance, having been used:

(1) On more than two occasions within a six-month period, as the site of a violation of F.S. § 796.07;

(2) On more than two occasions within a six-month period, as the site of the unlawful sale, delivery, manufacture or cultivation of any controlled substance;

(3) On one occasion as the site of the unlawful possession of a controlled substance, where such possession constitutes a felony and that has been previously used on more than one occasion as the site of the unlawful sale, delivery, manufacture or cultivation of any controlled substance;

(4) By a criminal street gang for the purpose of conducting a pattern of criminal street gang activity as defined by F.S. § 874.03; or

(5) On more than two occasions within a six-month period, as the site of a violation of F.S. § 812.019 relating to dealing in stolen property.

(b) Any employee, officer or resident of the city may bring a complaint before the board. Written notice of such complaint must be furnished to the owner of the place or premises, at his last known address, not less than three days prior to a scheduled hearing before the board.

(c) The board shall conduct a hearing on the complaint, receiving evidence pertaining to the allegations of the complaint. The board may also consider evidence of the general reputation of the place or premises. The owner of the place or premises shall have an opportunity to present evidence in his defense.

(d) At the conclusion of the hearing and based on the evidence received, the board may find and declare that the place or premises has been used as alleged in the complaint and that such place or premises thereby constitutes a public nuisance.

(e) If the board declares a place or premises to be a public nuisance, the board may enter an order requiring the owner of such place or premises to adopt such procedures as may be appropriate under the circumstances to abate any such nuisance or it may enter an order immediately prohibiting:

(1) The maintaining of the nuisance;

(2) The operating or maintaining of the place or premises including the closure of the place or premises or any part thereof; or

(3) The conduct, operation or maintenance of any business or activity on the premises which is conducive to such nuisance.

(f) An order entered under subsection (e), above, shall expire after one year or at such earlier time as is stated in the order.

(g) An order entered under subsection (e), above, may be enforced pursuant to the procedures contained in F.S. § 120.69. This subsection does not subject the city, or the nuisance abatement board, to any other provision of F.S. ch. 120.

(h) The board may bring a complaint, under F.S. § 60.05, seeking temporary and permanent injunctive relief against any nuisance described in subsection (a), above.

(i) As used in this section, the term "controlled substance" includes any substance sold in lieu of a controlled substance in violation of F.S. § 817.563 or any imitation controlled substance defined in F.S. § 817.564.

#### Sec. 2-83. - Powers of board.

The nuisance abatement board shall have the power to:

(1) Adopt rules for the conduct of its hearings;

- (2) Subpoena alleged violators and witnesses to its hearing, which subpoenas shall be served by the police department or any person authorized by rules of procedure;
- (3) Subpoena records, surveys, plats and other documentary evidence, which subpoenas shall be served by the police department or any person authorized by rules of procedure;
- (4) Take testimony under oath;
- (5) Issue orders having the force and effect of law declaring that any place or premises constitutes a public nuisance, prohibiting any such nuisance, and commanding necessary steps to abate any such nuisance;
- (6) Establish and levy fines pursuant to section 2-92; and
- (7) Provide for continuing jurisdiction for a period of up to one year over any place or premises that has been or is declared to be a public nuisance.

Sec. 2-84. - Administrative fines; liens.

(a) If the nuisance abatement board declares a place or premises to be a public nuisance, it may impose a fine not to exceed \$250.00 per day for each and every day the public nuisance occurred or continues. In addition, the nuisance abatement board may impose a fine not to exceed \$500.00 per day for recurring public nuisances. The total fines imposed by the nuisance abatement board pursuant to this section shall not exceed \$15,000.00.

(b) In determining the amount of the fine, if any, the nuisance abatement board shall consider the following factors:

- (1) The gravity of the public nuisance;
- (2) The actions taken by the owner to correct or abate the public nuisance;
- (3) Any previous public nuisances created, committed or permitted by the owner.

(c) The nuisance abatement board may reduce a fine imposed pursuant to this section.

(d) If the nuisance abatement board declares a place or premises to be a public nuisance, it may charge the owner with the reasonable costs, including reasonable attorneys' fees, associated with the investigation of and the hearing on the public nuisance, along with any fine imposed pursuant to this section.

(e) A certified copy of any order imposing a fine, providing for the payment of reasonable costs, or both, may be recorded in the public records of Orange County, Florida, and thereafter shall constitute a lien against the real property that is the subject of the order. A fine imposed pursuant to this section shall continue to accrue each day until the owner comes into compliance with the order or until judgment is rendered in a suit to

foreclose on a lien filed pursuant to this section, whichever occurs first. A lien arising from a fine or order imposing costs, or both, entered pursuant to this section runs in favor of the city and the city may execute a satisfaction or release of lien entered pursuant to this section. The nuisance abatement board or the city commission may authorize the city attorney to foreclose on any lien created pursuant to this section. No lien created pursuant to the provisions of this section may be foreclosed on real property which is a homestead under Florida Constitution Art. X, § 4. The city shall be entitled to collect and recover all costs, including reasonable attorneys' fees, associated with the recording of orders and foreclosure on a lien.

(f) In any nuisance abatement action, based on a stolen property nuisance, against a property owner operating an establishment where multiple tenants, on one site, conduct their own retail business, the property owner shall not be subject to a lien against his property or the prohibition of operation provision if the property owner evicts the business declared to be a nuisance within 90 days after notification by registered mail to the property owner of a second stolen property conviction of the tenant.

#### Sec. 2-85. - Service of notices.

(a) All notices required by this division shall be provided to the owner of the place or premises by certified mail, return receipt requested; by hand delivery by the sheriff or other law enforcement officer, or other person designated by the city commission; or by leaving the notice at the owner's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice.

(b) In addition to providing notice as set forth in subsection (a), above, at the option of the nuisance abatement board, notice may also be served by publication, as follows:

(1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements.

(2) Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.

(c) In lieu of publication as described in subsection (b), above, such notice may be posted for at least ten days in at least two locations, one of which shall be the property upon which the public nuisance is alleged to exist and the other of which shall be at city hall in Winter Park, Florida. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(d) Notice by publication may run concurrently with or may follow an attempt to provide notice by hand delivery or by mail as required under subsection (a), above.

(e) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a), above, together with proof of publication as provided in subsection (b), above, shall be sufficient to show that the notice requirements of this division have been met, without regard to whether or not the owner actually receives such notice.

Secs. 2-86—2-100. - Reserved.

## DIVISION 5. - CODE ~~ENFORCEMENT~~ COMPLIANCE BOARD

Sec. 2-101. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Code inspector means any authorized agent or employee of the city whose duty it is to ensure compliance with the codes and ordinances of the city.

Repeat violation means a violation of a provision of a code or ordinance by a person who has been previously found through a code ~~enforcement~~ compliance board or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provisions within five years prior to the violation, notwithstanding the violations occur at different locations.

Violation of an itinerant or transient nature means a violation of a provision of a code or ordinance which occurs at one location and then moves to another location, or occurs temporarily or which is transitory or passes away with time.

**Cross reference**— Definitions and rules of construction generally, § 1-2.

**State Law reference**— Similar provisions, F.S. § 162.04.

Sec. 2-102. - Board created; composition; terms; removal; organization.

There is created a subsidiary board of the City of Winter Park known as the code ~~enforcement~~ compliance board, established pursuant to sections 2-47 and 2-52 of this Code. The provisions of divisions 1 and 2, sections 2-46 through 2-49 shall apply except as expressly required otherwise by a specific provision in this division 5.

**State Law reference**— Authority to create code ~~enforcement~~ compliance board, F.S. § 162.03(3); composition, removal and organization of board, F.S. § 162.05.

Sec. 2-103. - Jurisdiction.



(a) In its efforts to promote, protect and improve the health, safety and welfare of the citizens of the city, the code ~~enforcement~~ compliance board shall have the jurisdiction to hear and decide alleged violations of any codes and ordinances of the city.

(b) It is the legislative intent of the city commission to provide for the establishment of the code ~~enforcement~~ compliance board as an additional or supplemental means of obtaining compliance with such codes and ordinances. Nothing shall prohibit the city commission from enforcing its codes and ordinances by any other means.

(c) It is the further intent of the city commission that the code ~~enforcement~~ compliance board shall be established pursuant to the provisions of F.S. ch. 162 with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective and inexpensive method of enforcing any codes and ordinances in force in the city where a pending or repeated violation continues to exist. The code compliance board shall have all of the powers and authority of a code enforcement board pursuant to F.S. ch. 162.

**State Law reference**— Code enforcement board to be supplemental procedure, F.S. § 162.13.

Sec. 2-104. - Enforcement procedures.

(a) It shall be the duty of the code inspector to initiate enforcement proceedings of the various codes and ordinances. No member of the code ~~enforcement~~ compliance board shall have the power to initiate such enforcement proceedings.

(b) Except as provided in subsections (c) and (d) of this section, if a violation of the codes or ordinances is found, the code inspector shall first notify the violator and give him a reasonable time to correct the violation. Should the violation continue beyond the time specified for correction, the code inspector shall notify the code ~~enforcement~~ compliance board and request a hearing. The code ~~enforcement~~ compliance board, through its clerical staff, shall schedule a hearing, and written notice of such hearing shall be mailed or hand delivered to the violator as provided in this division. At the option of the code ~~enforcement~~ compliance board, notice may additionally be served by publication as provided in this division. If the violation is corrected and then recurs or if the violation is not corrected by the time specified for correction by the code inspector, the case may be presented to the code ~~enforcement~~ compliance board even if the violation has been corrected prior to the board hearing, and the notice shall so state.

(c) If the code inspector has reason to believe a violation or the condition causing the violation presents a serious threat to the public health, safety and welfare or if the violation is irreparable or irreversible in nature, the code inspector shall make a reasonable effort to notify the violator and may immediately notify the board and request a hearing.

(d) If a repeat violation is found, the code inspector shall notify the violator but is not required to give the violator a reasonable time to correct the violation. The code

inspector, upon notifying the violator of a repeat violation, shall notify the code ~~enforcement~~ compliance board and request a hearing. The code ~~enforcement~~ compliance board, through its clerical staff, shall schedule a hearing and shall provide notice as provided in this division. The case may be presented to the code ~~enforcement~~ compliance board even if the repeat violation has been corrected prior to the board hearing, and the notice shall so state. If the repeat violation has been corrected, the code ~~enforcement~~ compliance board retains the right to schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the code ~~enforcement~~ compliance board.

(e) If the owner of property which is subject to an enforcement proceeding before the code ~~enforcement~~ compliance board transfers ownership of such property between the time of service of the notice of hearing before the code ~~enforcement~~ compliance board and the time of the hearing, such owner shall:

- (1) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.
- (2) Deliver to the prospective transferee a copy of the pleadings, notices, and other materials relating to the code enforcement proceeding received by the transferor.
- (3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.
- (4) File a notice with the code enforcement official of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within five days after the date of the transfer.

A failure to make the disclosures described in subparagraphs (1), (2) and (3) before the transfer creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

**State Law reference**— Similar provisions, F.S. § 162.06.

Sec. 2-105. - Conduct of hearing.

(a) Upon request of the code inspector or at such other times as may be necessary, the chairperson of the code ~~enforcement~~ compliance board may call hearings of the board, and hearings may also be called by written notice signed by at least three members of the board. The board at any hearing may set a future hearing date.

(b) Upon scheduling a hearing, the board shall cause notice thereof to be furnished to the alleged violator as provided in this division. The notice of hearing shall contain the date, time and place of the hearing and shall state the nature of the violation and refer to the appropriate code or ordinance.

(c) At the hearing, the burden of proof shall be upon the code inspector to show, by a preponderance of the evidence, that a violation does exist.

(d) Assuming proper notice of the hearing has been provided to the alleged violator as provided in subsection (b) of this section, a hearing may proceed in the absence of the alleged violator.

(e) All testimony shall be under oath and shall be recorded. The board shall take testimony from the code inspector and alleged violator and from such other witnesses as may be called by the respective sides.

(f) Formal rules of evidence shall not apply, but fundamental due process shall be observed and govern the proceedings.

(g) Irrelevant, immaterial or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonable, prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a trial in the courts of the state.

(h) Any member of the board or an attorney appointed to represent the board may inquire of any witness before the board. The alleged violator or his attorney and the attorney or staff person representing the city shall be permitted to inquire of any witness before the board and shall be permitted to present brief opening and closing statements.

(i) If the city prevails in prosecuting a case before the code ~~enforcement~~ compliance board, the city shall be entitled to recover all costs incurred in prosecuting the case before the board, and such costs may be included in the lien authorized under subsection 2-108(e).

(j) At the conclusion of the hearing, the code ~~enforcement~~ compliance board shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with the powers granted by state law and by this division. The finding shall be by motion approved by a majority of those members present and voting; provided, however, that at least four members of the board must vote in order for the action to be official. The order shall be stated orally at the meeting and shall be reduced to writing and mailed or hand delivered to the alleged violator either at or within a reasonable time after the hearing. The order may include a notice that it must be complied with by a specified date and that a fine may be imposed and, under the conditions specified in section 2-108(a), the cost of repairs may be included along with the fine if the order is not complied with by such date. A certified copy of such order may be recorded in the public records of the county and shall constitute notice to any subsequent purchasers, successors in interest or assigns if the violation concerns real

property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest or assigns. If an order is recorded in the public records pursuant to this subsection and the order is complied with by the date specified in the order, the code ~~enforcement~~ compliance board shall issue an order acknowledging compliance that shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

**State Law reference**— Similar provisions, F.S. § 162.07.

Sec. 2-106. - Powers of board.

The code ~~enforcement~~ compliance board shall have the power to:

- (1) Adopt rules for the conduct of its hearings.
- (2) Subpoena alleged violators and witnesses to its hearings, which subpoenas shall be served by the police department.
- (3) Subpoena records, surveys, plats and other documentary evidence, which subpoenas shall be served by the police department.
- (4) Take testimony under oath.
- (5) Issue orders having the force and effect of law commanding whatever steps are necessary to bring a violation into compliance.
- (6) Establish and levy fines pursuant to section 2-108.

**State Law reference**— Similar provisions, F.S. § 162.08.

Sec. 2-107. - Administrative fines; costs of repair; liens.

(a) The code ~~enforcement~~ compliance board, upon notification by the code inspector that a previous order of the board has not been complied with by the set time or upon finding that a repeat violation has been committed, may order the violator to pay a fine in an amount specified in this section for each day the violation continues past the date set by the code ~~enforcement~~ compliance board for compliance or, in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code inspector. In addition, if the violation is a violation described in subsection 2-105(c), the code ~~enforcement~~ compliance board shall notify the city, which may make all reasonable repairs which are required to bring the property into compliance and charge the violator with the reasonable cost of the repairs along with the fine imposed pursuant to this section. Making such repairs does not create a continuing obligation on the part of the city to make further repairs or to maintain the property and does not create any liability against the city for any damages to the property

if such repairs were completed in good faith. If a finding of a violation or a repeat violation has been made as provided in this part, a hearing shall not be necessary for issuance of the order imposing the fine. If, after due notice and hearing, the code ~~enforcement~~ compliance board finds a violation to be irreparable or irreversible in nature, it may order the violator to pay a fine as specified in subsection (b).

(b) A fine imposed pursuant to this section shall not exceed \$250.00 per day for a first violation and shall not exceed \$500.00 per day for a repeat violation, and, in addition, may include all costs of repairs pursuant to subsection (a). However, if the code ~~enforcement~~ compliance board finds the violation to be irreparable or irreversible in nature, it may impose a fine not to exceed \$5,000.00 per violation.

(c) In determining the amount of the fine, if any, the code ~~enforcement~~ compliance board shall consider the following factors:

- (1) The gravity of the violation;
- (2) Any actions taken by the violator to correct the violation; and
- (3) Any previous violations committed by the violator.

(d) The code ~~enforcement~~ compliance board may reduce a fine imposed pursuant to this section.

(e) A certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the public records and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, such order shall be enforceable in the same manner as a court judgment by the sheriffs of the state, including execution and levy against the personal property of the violator, but such order shall not be deemed otherwise to be a court judgment except for enforcement purposes. A fine imposed pursuant to this section shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien filed pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this section runs in favor of the city, and the city may execute a satisfaction or release of lien entered pursuant to this section. After three months from the filing of any such lien which remains unpaid, the code ~~enforcement~~ compliance board may authorize the city attorney to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. Actions for money judgments may be pursued only on fines levied after October 1, 2000. No lien created pursuant to the provisions of this section may be foreclosed on real property which is a homestead under Fla. Const. art. X, § 4. The money judgment provisions of this section shall not apply to real property or personal property which is covered under Fla. Const. art. X, § 4.

(f) No lien provided by this chapter shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless within that time an action is commenced pursuant to F.S. § 162.09(3) in a court of competent jurisdiction.

In an action to foreclose on a lien or for a money judgment, the prevailing party is entitled to recover all costs, including a reasonable attorney's fee, that the party incurs in the action. The city shall be entitled to collect all costs incurred in recording and satisfying a valid lien. The continuation of the lien effected by the commencement of the action shall not be good against creditors or subsequent purchasers for valuable consideration without notice, unless a notice of lis pendens is recorded.

**State Law reference**— Similar provisions, F.S. §§ 162.09, 162.10.

Sec. 2-108. - Appeals.

(a) An aggrieved party, including the city commission, may appeal a final administrative order of the code ~~enforcement~~ compliance board to the circuit court. Any such appeal shall be filed within 30 days of the execution of the order to be appealed.

(b) The scope of review shall be limited to the record made before the code ~~enforcement~~ compliance board and shall not be a trial de novo.

(c) The city commission shall, by rule, establish reasonable charges for the preparation of the record to be paid by the appealing party.

**State Law reference**— Appeals, F.S. § 162.11.

Sec. 2-109. - Notices.

(a) All notices required by this division shall be provided to the alleged violator by:

(1) Certified mail, return receipt requested, provided if such notice is sent under this paragraph to the owner of the property in question at the address listed in the tax collector's office for tax notices, and at any other address provided to the city by such owner and is returned as unclaimed or refused, notice may be provided by posting as described in subparagraphs (b)(1) and (2) and by first-class mail directed to the addresses furnished to the local government with a properly executed proof of mailing or affidavit confirming the first-class mailing;

(2) Hand delivery by the sheriff or other law enforcement officer, code inspector or other person designated by the city commission;

(3) Leaving the notice at the violator's usual place of residence with any person residing therein who is above 15 years of age and informing such person of the contents of the notice; or

(4) In the case of commercial premises, leaving the notice with the manager or other person in charge.

(b) In addition to providing notice as set forth in subsection (a) of this section, at the option of the code ~~enforcement~~ compliance board, notice may also be served by publication, as follows:

(1) Such notice shall be published once during each week for four consecutive weeks (four publications being sufficient) in a newspaper of general circulation in the county. The newspaper shall meet such requirements as are prescribed under F.S. ch. 50 for legal and official advertisements.

(2) Proof of publication shall be made as provided in F.S. §§ 50.041 and 50.051.

(c) In lieu of publication as described in subsection (b), such notice may be posted at least ten days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two locations, one of which shall be the property upon which the violation is alleged to exist and the other of which shall be at city hall in Winter Park, Florida. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(d) Notice by publication may run concurrently with or may follow an attempt to provide notice by hand delivery or by mail as required under subsection (a) of this section.

(e) Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a) of this section, together with proof of publication as provided in subsection (b) of this section, shall be sufficient to show that the notice requirements of this division have been met, without regard to whether or not the alleged violator actually received such notice.

**State Law reference**— Similar provisions, F.S. § 162.12.

Secs. 2-110—2-120. - Reserved.

DIVISION 6. - RESERVED

Section 3. Continuation of Boards. The City Commission hereby approves the continuation of each of the City boards referenced in Article III of Chapter 2, City Code of Ordinances as modified by this Ordinance. The ethics advisory board shall sunset, and thus has been eliminated by this Ordinance. This section shall constitute the City Commission's majority vote in accordance with Section 2-48(o), City of Winter Park Code of Ordinances.

Section 4. Prior Acts. No change of name of any city board or the consolidation of powers and duties amongst boards pursuant to this Ordinance shall impact or void previous actions, votes and orders of any city board. The board with jurisdiction over a matter pursuant to this Ordinance shall have the authority to act upon any previous matter handled by a city board that has been impacted by this Ordinance, including as the result of a name change, consolidation of power, or the elimination of a board.

Section 5. Ex officio duties. When a City board or individual members thereof are charged with authority or duty to serve as or on other boards pursuant to this Ordinance and the Code of Ordinances, it is the intent that those duties be considered *ex officio* duties of each of the members of those respective boards, and they shall not be treated as dual office holding.

Section 6. Codification. Section 2 shall be codified in the City Code as specified therein. Any section, paragraph number, letter or heading within the Code may be changed or modified as necessary to effectuate the codification. Grammatical, typographical and similar or like errors may be corrected in the Code, and additions, alterations and omissions not affecting a material substantive change in the construction or meaning of this Ordinance may be freely made.

Section 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural or any other reason, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion or portions hereof or hereto.

Section 8. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 9. Effective Date Of Ordinance. This Ordinance shall become effective immediately upon adoption of the City Commission of the City of Winter Park, Florida.

Adopted by the City Commission of the City of Winter Park, Florida in a regular meeting assembled on the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Mayor Steve Leary

ATTEST:

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Cynthia S. Bonham, City Clerk