



# city commission agenda

## Regular Meeting

November 28, 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 Mark Rickman, Director of Fellowship of Christian Athletes of Central Florida Pledge of Allegiance

### 3 Approval of Agenda

### 4 Mayor's Report

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

- a. Board appointment – Police Officers' Pension Board (Bill Deuchler to replace Sandy Modell who resigned) (this is the position voted in by the Board as the 5<sup>th</sup> member).

1 minute

### 5 City Manager's Report

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

5 minutes

<b>6</b>	<b>City Attorney's Report</b>	<b>*Projected Time</b> <b>*Subject to change</b>
<b>7</b>	<b>Citizen Comments   5 p.m. or soon thereafter</b> <b>(if the meeting ends earlier than 5:00 p.m., the citizen comments will be at the end of the meeting)</b> (Three (3) minutes are allowed for each speaker; not to exceed a total of 30 minutes for this portion of the meeting)	
<b>8</b>	<b>Consent Agenda</b>	<b>*Projected Time</b> <b>*Subject to change</b>
	a. Approve the minutes of November 14, 2016. b. Approve the purchase from CDW-G for Microsoft renewal licenses; \$89,738.78.	1 minute
<b>9</b>	<b>Action Items Requiring Discussion</b>	<b>*Projected Time</b> <b>*Subject to change</b>
	a. State Legislative priorities	10 minutes
<b>10</b>	<b>Public Hearings</b>	<b>*Projected Time</b> <b>*Subject to change</b>
	a. Ordinance – Amending the adopted budget and accompanying the Five Year Capital Improvement Plan for FY 2015-2016 (2)	5 minutes
	b. Ordinance – Repealing and replacing Chapter 82, Solid Waste, Article I, in General and Article II, Municipal Collection and Disposal Service (2)	5 minutes
	c. Ordinance – Proposing an amendment to the City Charter eliminating Primary elections for candidates for City Commission and Mayor and providing for run-off elections; submitting proposed Charter amendment to a vote by the electors of Winter Park via referendum at the General City Election to be held March 14, 2017; providing for amendment of Chapter 42 of the City Code regarding City elections if the Charter amendment is adopted (2)	5 minutes
	d. <u>Request of the Westminster Winter Park Towers:</u> - Conditional use approval to build a new Lifelong Learning Center Building addition of 16,650 square feet at 1111 South Lakemont Avenue, zoned R-4, and providing for an amendment of the existing development agreement.	20 minutes
	e. <u>Request of Z Properties Group:</u> - Subdivision or lot split approval to divide the property at 200 Oakwood Way, into two single family building lots.	30 minutes
	f. <u>Request of NPI WP Real Estate Holdings LLC:</u> - Subdivision approval to divide the property at 1693 Lee Road, zoned Office (O-1), into two office building lots and to establish building setbacks so that the site can be further developed with a second 9,900 square foot office building in addition to the	10 minutes



existing 9,560 square foot medical office in order to allow fee simple ownership of the two office building pads and common ownership of parking, drives and other infrastructure.

g. Request of the City of Winter Park:

- Ordinance – To amend the "Comprehensive Plan" Future Land Use Map from an Institutional Future Land Use designation to a Low Density Residential Future Land Use designation on the vacant "Blake Yard" property at 301 West Comstock Avenue (1)
- Ordinance – To amend the Official Zoning Map from Public, Quasi-Public (PQP) District zoning to Low Density Residential (R-2) District zoning on the vacant "Blake Yard" property at 301 West Comstock Avenue (1)

20 minutes

h. Request of W F G Ltd.:

- Ordinance - To amend the "Comprehensive Plan" Future Land Use Map to change from Low Density Residential to Commercial Future Land Use Designation on the vacant property fronting on Symonds Avenue (Former 620/630 Symonds) (1)
- Ordinance - To amend the Official zoning map to change from Low Density Residential (R-2) District zoning to Commercial (C-3) District zoning on the vacant property fronting on Symonds Avenue (Former 620/630 Symonds) (1)
- Conditional use approval to construct a three story building of approximately 70,000 square feet in size to include a proposed hotel of approximately 120 rooms, a 4,000 square foot restaurant, 4,900 square feet of meeting space, a swimming pool amenity and landscaped gardens utilizing the existing 3-level parking garage and providing for certain exceptions and for the approval of a Developers Agreement, if required.

30 minutes

**11 Non-Action Items**

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

- a. Financial Report – September 2016
- b. Comprehensive Plan Elements discussion at Commission discretion

10 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

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"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

November 28, 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 with South Denning, Pennsylvania North and South remaining.	Holt/Pennsylvania crossing improvements scheduled for January 27. Pennsylvania/Webster improvements scheduled for February 17.
Ward Park restrooms	Both restrooms 95% complete. Site work, irrigation, planting underway starting November 14.	Substantial completion November 21. Final completion December 10.
Cady Way Pool	With the transition in leadership at the Winter Park YMCA they have not planned to staff or program the pool this winter. They also do not currently have funding for the cover that would be necessary to keep the water heated. The City and YMCA will provide the Commission with usage statistics, cost estimates and future programming plans at the December 12, 2016 meeting.	December 12, 2016 Commission meeting.
Comprehensive Plan Update	Staff has finished the update and P&Z has transmitted the Plan to the City Commission for review and transmittal to the Florida Department of Economic Opportunity for comments. The deadline to transmit is February 1, 2017.	The second public hearing is scheduled for December 12 at 5:01 p.m.  Staff will host a "coffee talk" session on December 5 <sup>th</sup> from 8-10 a.m. at the Welcome Center to answer questions about the draft Plan.  The Plan update is due to the Department of Economic Opportunity by February 1, 2017. Schedule is available at <a href="http://www.cityofwinterpark.org/comp-plan">www.cityofwinterpark.org/comp-plan</a>

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**  
**November 14, 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 Mark Rickman, Director of Fellowship of Christian Athletes of Central Florida, followed by the Pledge of Allegiance.

Members present:

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

Also present:

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

Member absent:

Commissioner Carolyn Cooper

**Approval of the agenda**

**Motion made by Commissioner Sprinkel to approve the agenda; seconded by Commissioner Weldon and carried unanimously with a 4-0 vote.**

**Mayor's Report**

a. Proclamation – Small Business Saturday

Mayor Leary proclaimed Saturday, November 26, 2016 as Small Business Saturday and encouraged people to support our local small businesses. A proclamation will be provided to Vice President of the Winter Park Chamber of Commerce Debra Hendrickson. Sarah Grafton who also provided canvas bags designed by the Rifle Paper Company a member of the Park Avenue Area Merchants' Association who was chosen as the designer of the nationwide bags used for Small Business Saturday.

b. Presentation – 2016 International Association for Chiefs of Police 'Law Enforcement Challenge' 1<sup>st</sup> Place Award for Highway Safety

Police Chief Michael Deal recognized the officers who won 1<sup>st</sup> place in the IACP challenge for highway safety for agencies 51-100 police officers.

**City Manager's Report**

City Manager Knight addressed the transition of our Waste Pro contract with the delivery of new carts. Tim Dolan of Waste Pro provided an update as to where they are with the new carts being delivered and picking up the old carts.

City Manager Knight addressed the Cady Way pool heating project whereby the YMCA has no plan to program the pool for this winter. Upon discussion, other alternatives for funding the pool heating will be placed on the November 28 agenda.

### **City Attorney's Report**

City Attorney Ardaman reported that bond counsel filed the response regarding the library bond validation and the petition for writ certiorari response will be filed this week. There was no estimate provided as to when they would receive a judgment.

### **Non-Action Item**

No items.

### **Consent Agenda**

- a. Approve the minutes of October 24, 2016.
- b. Approve the following purchases and contracts:
  1. PR160968 to Altec Industries, Inc. for a replacement bucket truck for the Electric Utility; \$123,322.
  2. Blanket Purchase Order to Mead Botanical Gardens for annual operational and capital support; and authorize the Mayor to execute contract; Operational, \$85,000; Capital, \$100,000.
  3. Blanket Purchase Order to Winter Park Historical Association for annual operational support; and authorize the Mayor to execute contract; \$80,000.
  4. Blanket Purchase Order to ADPI Intermedix for third-party EMS collection services; \$90,000.
  5. PR160963 to Trane Co. for a new chiller for the Public Works Compound; \$145,745.
  6. PR161015 to Hub City Ford for six 2017 Ford Police interceptors; \$157,014.
  7. PR161016 to Orlando Freightliner, Inc. for replacement dump truck for the Streets Drainage Division; \$108,562.
  8. Blanket Purchase Order to Heart Utilities of Jacksonville (IFB-8-2014) for FY17 City-wide underground projects; \$1,585,000.
  9. Blanket Purchase Order to HDD of Florida (IFB-8-2014) for FY17 City-wide underground projects; \$1,335,000.
  10. Contract with StarTraq Limited for red light traffic camera monitoring and audit services; and authorize the Mayor to execute contract; \$40,000 (Forfeiture funds).
  11. Amendment No. 2 (RFQ-25-2014) to A Budget Tree Services, Inc. for Tree Removal Services; Dead/Diseased High Risk; and authorize the Mayor to execute Amendment.
  12. Amendment No. 4 (RFQ-2-2012) to Universal Engineering Science, Continuing Services Contract for Professional, Architectural & Engineering Services; Discipline: Geotechnical Services; and authorize the Mayor to execute Amendment. **PULLED FROM CONSENT AGENDA. SEE BELOW.**
  13. Piggyback Orange County Contract #Y14-1070-LC – Furnish Asphalt Products with Hubbard Construction Co.; and authorize the Mayor to execute contract; \$100,000.



14. Piggyback Jacksonville Electric Authority Contract #157126 – Electrical Conduit & Fittings with Gresco Utility Supply, Inc.; and authorize the Mayor to execute contract.

**Motion made by Commissioner Sprinkel to approve Consent Agenda items a, b-1 to 11 and 13-14; seconded by Commissioner Weldon and carried unanimously with a 4-0 vote. Commissioner Cooper was absent.** No public comments were made.

#### **Consent Agenda item b-12**

This item was pulled by Commissioner Seidel because of a conflict of interest. Form 8B was provided and is made part of these minutes. **Motion made by Mayor Leary to approve Consent Agenda item b-12; seconded by Commissioner Sprinkel and carried unanimously with a 3-0 vote with Commissioner Seidel abstaining from voting and Commissioner Cooper being absent.**

#### **Action Items Requiring Discussion**

No items.

#### **Public Hearings:**

- a. Request of JT Palm Holdings LLC (Cask & Larder):

ORDINANCE NO. 3052-16: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF SINGLE FAMILY RESIDENTIAL TO PARKING LOT ON THE PROPERTY AT 520 SOUTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Second Reading

ORDINANCE NO. 3053-16: AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE SINGLE FAMILY (R-1A) ZONING TO PARKING LOT (PL) DISTRICT ZONING ON THE PROPERTY AT 520 SOUTH PENNSYLVANIA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. Second Reading

Attorney Ardaman read both ordinances by title. This was a simultaneous public hearing.

**Motion made by Commissioner Sprinkel to adopt the first ordinance; seconded by Commissioner Weldon.** No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. The motion carried unanimously with a 4-0 vote with Commissioner Cooper being absent.**

**Motion made by Commissioner Sprinkel to adopt the second ordinance; seconded by Commissioner Weldon.** No public comments were made. **Upon a**

**roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. The motion carried unanimously with a 4-0 vote with Commissioner Cooper being absent.**

- b. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES, GOVERNING SOLID WASTE, BY AMENDING, DELETING, AND ADDING PROVISIONS RELATING TO AND INCLUDING, WITHOUT LIMITATION, DEFINITIONS OF TERMS TO BE CONSISTENT WITH STATE LAW; PROHIBITED ACTS; SOLID WASTE AND RECOVERED MATERIALS COLLECTION SERVICE REQUIREMENTS; CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING; EXCLUSIVE AND NONEXCLUSIVE PERMITTING PROCESS WITH REQUIREMENTS, TERMS, FEES, INSURANCE, EQUIPMENT, NOTICE AND REPORTING OF SERVICE BY PERMITEES AND REMEDIES RELATING TO VIOLATIONS; EXCLUSIVE AND NONEXCLUSIVE FRANCHISE RIGHTS AND OBLIGATIONS; REQUIRED USE OF CITY'S FRANCHISEE FOR COLLECTION AND REMOVAL OF SOLID WASTE AND RECYCLABLE MATERIALS; DUTIES OF FRANCHISEES; FREQUENCY OF COLLECTION; APPROVED CONTAINERS; PLACEMENT/PREPARATION OF CONTAINERS; BULK WASTE; COMMERCIAL AND RECYCLABLE MATERIALS COLLECTION; SPECIAL COLLECTION SERVICE; AMENDING CHAPTER 58, ARTICLE V OF THE CODE OF ORDINANCES, ENVIRONMENTAL PROTECTION REGULATIONS, TO REQUIRE ADEQUATE SPACE AND A RECEPTACLE FOR RECYCLING AS TO CERTAIN TYPES OF NEWLY DEVELOPED PROPERTY; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. First Reading

Attorney Ardaman read the ordinance by title. Assistant City Manager Michelle Neuner explained this is the final step in the overhaul of our solid waste program and summarized the changes made.

**Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Weldon.** No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. The motion carried unanimously with a 4-0 vote with Commissioner Cooper being absent.**

- c. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER ELIMINATING PRIMARY ELECTIONS FOR CANDIDATES FOR CITY COMMISSION AND MAYOR AND PROVIDING FOR RUN-OFF ELECTIONS; SUBMITTING PROPOSED CHARTER AMENDMENT TO A VOTE BY THE ELECTORS OF WINTER PARK VIA REFERENDUM AT THE GENERAL CITY ELECTION TO BE HELD MARCH 14, 2017; PROVIDING FOR AMENDMENT TO DEFINITIONS AND OTHER PROVISIONS OF CHAPTER 42 OF THE CITY CODE REGARDING CITY ELECTIONS IF THE CHARTER AMENDMENT IS ADOPTED; PROVIDING FOR THE REFERENDUM BALLOT QUESTION FOR THE PROPOSED CHARTER AMENDMENT; PROVIDING FOR DIRECTION TO THE CITY CLERK; PROVIDING FOR MODIFICATION BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATES OF THE ORDINANCE, CHARTER AMENDMENT, AND CITY CODE AMENDMENTS. First Reading

Attorney Ardaman read the ordinance by title. City Manager Knight explained this would eliminate the primary and provide for a run-off election if necessary.

**Motion made by Commissioner Weldon to accept the ordinance on first reading; seconded by Commissioner Sprinkel.** No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. The motion carried unanimously with a 4-0 vote with Commissioner Cooper being absent.**

- d. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2015 - 2016 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE. First Reading

Attorney Ardaman read the ordinance by title. City Manager Knight explained this is a cleanup budget adjustment from the previous fiscal year taking into account the revenues that came in above the budget that were spent on specific projects. Budget Manager Peter Moore explained that this is for statutory compliance.

**Motion made by Commissioner Sprinkel to accept the ordinance on first reading; seconded by Commissioner Weldon.** No public comments were made. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. The motion carried unanimously with a 4-0 vote with Commissioner Cooper being absent.**

Public comments (items not on the agenda)

Sally Flynn, 1400 Highland Avenue, spoke about her situation with garbage carts/cans and picking up her old ones. She was asked to speak with Assistant City Manager Neuner to resolve her issue.

Pat McDonald, 2348 Summerfield Road, asked about the new garbage and yard waste carts and if the city was paying for them. City Manager Knight explained the process.

Linda Eriksson, 535 N. Interlachen, spoke about the pickup of the garbage carts and recycling bins. She was asked to speak with Assistant City Manager Neuner to resolve her issue.

Bill Rosenfelt, 1400 N. New York Avenue, spoke about the City-wide notice that was sent out regarding the Battaglia project coming before the Commission in the future at 158 E. New England Avenue. He addressed the lack of parking at the Bank of America and the lack of parking spaces needed for the new project. He expressed concerns that the applicant may not have sufficient parking spaces for this project which could further impact Park Avenue. Planning Director Dori Stone explained the city-wide notice public hearing process and provided an update on this project from the P&Z meeting.

Carol Rosenfelt, 1400 N. New York Avenue, spoke in opposition to the proposed future project at 158 E. New England Avenue. She expressed concerns with the lack of parking spaces being proposed.

Allen Deaver, Taylor's Pharmacy, 306 S. Park Avenue, opposed the proposed project at 158 E. New England Avenue because of the lack of parking. He also commented on their issue with the dumpsters not being able to be picked up at 1021 W. Fairbanks during regular times in the mornings. He will meet with Assistant City Manager Neuner to resolve this with Waste Pro.

Attorney Ardaman asked the Commission not to discuss this item with anyone and to wait for the appropriate public hearing process to take place.

Recess

A recess was taken from 4:47 to 5:02 p.m.

Public comment continuation:

Rita Dewald, 501 Darcey Drive, spoke about elementary school children not having money to pay for lunches that have delinquent lunch accounts. She stated she covered all the accounts for Winter Park High School, Glenridge Middle School, Brookshire Elementary School, Audubon Park Elementary, Aloma and Lakemont Schools. She spoke about the Orange County Angel account where they pay for lunches, field trips and other things the children need that they cannot pay for. She asked if Winter Park could set up something similar where citizens can contribute to such an account to help the children. Communications Director Clarissa Howard will meet with Ms. Dewald to see if she can provide direction.

- e. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE COMPREHENSIVE PLAN AND CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, "COMPREHENSIVE PLAN" SO AS TO ADOPT A NEW CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, SUBSTITUTING FOR THE CURRENT 2009 COMPREHENSIVE PLAN ADOPTED ON FEBRUARY 23, 2009 TOGETHER WITH ALL SUBSEQUENT AMENDMENTS THERETO; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Attorney Ardaman read the ordinance by title. Planning Director Dori Stone clarified they are not asking for adoption of the ordinance this evening but that it will be done on December 12 after all the elements have been presented. Planning Manager Jeff Briggs stated this is the first of two discussions concerning the adoption of the new comprehensive plan. He explained the city-wide notice that was sent out and breaking the elements out into two sections to make it more manageable. He stated no action will be taken tonight because the first reading is December 12 and if it is adopted, the comprehensive plan will be transmitted to Tallahassee to the Department of Economic Opportunity who reviews it, makes comments and sends it back to the City to hold the second public hearing and adoption. It was clarified that if the Commission wants to make amendments on

December 12 they can and vote to transmit the ordinance to the state as a whole including all the elements after the second set of elements are discussed. Attorney Ardaman and Planning Director Stone further elaborated on the process. It was clarified that the first transmittal is required to be in Tallahassee by February 1 which gives more than ample time for public input and Commission discussion.

Mr. Briggs explained the statutory requirements to update the comprehensive plan every seven years to reflect changes that have happened in the City as well as changes that happened in state law over that time period. He stated they provided materials for the following elements to be discussed this evening: Recreation and Open Space, Conservation, Public Facilities, Intergovernmental Coordination, and Schools. He highlighted the changes.

Each Commissioner provided their recommended changes. Upon discussion, the planning staff will incorporate into the document the amendments agreed on.

Commissioner Sprinkel expressed her preference to have a mechanism in place by which the public can come, review materials and receive answers from staff.

Upon further discussion, **motion made by Mayor Leary to move this forward with the changes discussed this evening so this can be revisited at the meeting of December 12; seconded by Commissioner Weldon.** Mayor Leary stated once that is discussed they can work on further educating the public. He addressed the many public meetings already held and that they will have more moving forward. **Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel and Weldon voted yes. Commissioner Cooper was not present. The motion carried unanimously with a 4-0 vote.**

Carol Rosenfelt, 1400 N. New York Avenue spoke in opposition to the timing of the comprehensive plan adoption.

Further comments were made that Commissioner Sprinkel would like the opportunity for the public to see what is to be presented on December 12 because of the new elements to be presented that evening and to allow them to comment on the entire comprehensive plan and all elements before it is transmitted to Tallahassee for the first time.

Upon further discussion, staff will hold a public session after the November 28 Commission meeting to receive public comments. She will also provide a non-action item on the next agenda to discuss the remaining four elements to review ahead of the December 12 meeting.

### **City Commission Reports:**

a. Commissioner Seidel – Spoke about attending the football game at Showalter Field.



b. Commissioner Sprinkel – Spoke about the ethics training required yearly by the Commission and the opportunity coming up in Sanford.

c. Commissioner Cooper – Absent.

d. Commissioner Weldon – Spoke about what a great city Winter Park is.

e. Mayor Leary – Spoke about starting the road race this past Saturday for the Haiti fundraiser. Announced that Whole Foods opened and that there are a lot of great things happening in the City.

The meeting adjourned at 6:26 p.m.

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Mayor Steve Leary

ATTEST:

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City Clerk Cynthia S. Bonham, MMC

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <b>SEIDEL GREGORY STEPHEN</b>		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>CITY COMMISSION</b>	
MAILING ADDRESS <b>1250 RICHMOND ROAD</b>		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY <b>WINTER PARK</b>	COUNTY <b>ORANGE</b>	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <b>11/14/16</b>		NAME OF POLITICAL SUBDIVISION: <b>WINTER PARK</b>	
		MY POSITION IS: <b>Commissioner</b> <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, GREGORY S. SEIOER, hereby disclose that on NOVEMBER 14, 20 16:

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, \_\_\_\_\_;
- ☐ inured to the special gain or loss of my relative, \_\_\_\_\_;
- ☐ inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- ☐ inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

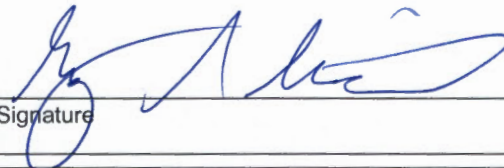
9. b. 12.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Date Filed

11/14/16

Signature



NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.





# city commission agenda item

item type	Consent Agenda	meeting date	November 28, 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
	CDW-G	Purchase of Microsoft Renewal Licenses	Total Expenditure included in approved FY17 budget. Amount: \$89,738.78	Commission approve purchase from CDW-G for Microsoft Renewal Licenses.

This purchase will be made using NJPA Contract #100614.

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	November 28, 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
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life.			
	<input type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.			
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.			
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.			

## subject

Review and approve State legislative priorities

## motion | recommendation

Approve State legislative priorities

## background

Staff has attached a suggested list of priorities for the City's lobbyist to champion in the State legislative session this year. Staff is requesting that the Commission review, modify if appropriate, and approve the list of priorities.

The rankings are based upon John Wayne Smith's understanding of the priorities after his individual meetings with the commissioners, but can be modified or reprioritized as the commission sees fit.

## alternatives | other considerations

Modify priorities.

## fiscal impact

N/A



**City of Winter Park**  
**2017 Legislative Priorities**  
**DRAFT FOR COMMISSION CONSIDERATION**

**PROJECTS: (Top 3)**

- **Howell Branch Creek – Appropriations Reversion – use remaining funds for improvements**
- **Mead Garden Lake Lillian Restoration (Phase II) – budget request for lake/park restoration**
- **Broadband (Downtown/Commercial Corridor) – budget request (possible federal opportunities)**

**OTHER**

- Widening of SR 426 (between 17-92 and Pennsylvania Avenue)
- Acquisition of post office property for expansion of Central Park
- Expansion of reuse water system
- Green energy
- 17-92 Beatification and corridor improvements
- Assistance with I-4 utility improvements (water quality)
- Sewer system expansion (elimination of septic tanks)

**Legislative (Policy)**

- Pension Reform
- Retiree Health Insurance Reform
- Commuter (SunRail) Rail Dedicated Funding Source
- Preservation of Home Rule – public finance and planning
- Regulation of Municipal Owned Utilities
- Regulation of Group Homes



# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016		
prepared by	Peter Moore	approved by	<input checked="" type="checkbox"/> City Manager		
department	Administrative Services		<input type="checkbox"/> City Attorney		
division	Budget		<input type="checkbox"/> N/A		
board approval		<input type="checkbox"/> yes	<input type="checkbox"/> no	<input checked="" type="checkbox"/> N/A	final vote
vision themes	<input type="checkbox"/> Cherish and sustain city's extraordinary quality of life.				
	<input type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.				
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.				
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

## subject

Ordinance Amending the FY 16 Adopted Budget **SECOND READING OF ORDINANCE**

## motion | recommendation

Approve the ordinance adopting amendments made to the FY16 budget over the course of last fiscal year (2015-2016).

## background

The City Commission is required by Statute to approve any budget adjustments that alter the total amount budgeted in any fund or when funds are transferred between different fund types. The City has adopted the practice of bringing budget amendments to the City Commission as they arise and then bringing a year-end ordinance adopting all the amendments formally to comply with Statute.

Through the receipt of grants or due to a need to revise original revenue estimates the city periodically needs to make changes to stated account revenues and expenditures. This is primarily a housekeeping process and it properly provides departments and divisions with an accurate picture of the funds available to undertake programs and projects. The following attachment highlights the budget amendments (Exhibit A of the Ordinance) that have already been approved by the Commission at prior meetings and now need to be formally adopted through public hearing.

The following additional items will be reflected in the budget as part of the approval of this ordinance:

Stormwater Fee in Lieu: Allocating stormwater fee in lieu revenues to the Misc Drainage Improvements Project account.

Showalter Improvements: Reflects funding received from Rollins, OCPS, and the WP High School Foundation as part of the Showalter field and track project.

Forestry: Reflects a State grant received by Forestry for tree inventory work.

### **alternatives | other considerations**

Not approving this would require staff to remove the amendments in the accounting system.

### **fiscal impact**

The majority of the amendments have been previously approved by the Commission and reflect either a use of reserves to fund projects such as Showalter or the Bowling Alley site, money received through contractual agreements and fundraising, grants, or transfers to other funds.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2015 – 2016 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Ordinance No. 3012-15, the City of Winter Park, Florida has adopted the Budget and Capital Improvement Program for the fiscal year 2015 – 2016; and

**WHEREAS**, the City of Winter Park, Florida desires to amend the Budget and Capital Improvement Program for supplemental appropriations in the amounts identified in Exhibit A; and

**WHEREAS**, Section 166.241(4)(c) Florida Statutes require such a budget amendment be adopted in the same manner as the original budget.

**BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA THAT:**

**SECTION 1.** The Budget and Capital Improvement Program for fiscal year 2015 – 2016 is hereby amended by providing for changes identified in Exhibit A.

**SECTION 2.** If any section, subsection, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 3.** In the event of any conflict between the provisions of this Ordinance and any other ordinance, resolution, or portions thereof, the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 4.** The provisions of this Ordinance shall become effective immediately upon passage.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, held in City Hall, Winter Park, Florida this 28<sup>th</sup> day of November, 2016.

\_\_\_\_\_  
Steve Leary, Mayor

Attest:

\_\_\_\_\_  
Cynthia S. Bonham, City Clerk

# Exhibit A

## Budget Amendments Requiring Commission Approval

Fiscal Year 2015 - 2016

Item	Amount	Source Account	Source Acct. Name	Exp. Account	Exp. Acct. Name	Note	Approval Date
Stormwater (Fee In Lieu)	\$ 11,691	303-0000-343.70-11	Fee in Lieu Receipts	303-3406-602.01-05	Misc. Drainage Improvement Projects	Records fee revenue received from 2715 S Park Ave and 1085 W. Morse Blvd.	12/14/2015
Golf Course Maintenance Equipment	\$ 85,387	Various, see attachment	Various, see attachment	502-3210-593.64-20	Capital Equipment Purchases	Purchase of Golf Course maintenance equipment.	5/9/2016
Showalter Field Turf Addl Funds	\$ 38,759	001-0000-382.10-00	General Fund Fund Balance Carryforward	301-0000-572.10-56	Showalter Field Improvements	Expanded Turf replacement scope	6/14/2016
Showalter Track Addl Funds	\$ 99,000	001-0000-382.10-00	General Fund Fund Balance Carryforward	301-0000-572.10-56	Showalter Field Improvements	Expanded Track Enhancements	8/22/2016
Stormwater (Fee In Lieu)	\$ 7,705	303-000-343.70-11	Fee in Lieu Receipts	303-3406-602.01-05	Misc. Drainage Improvement Projects	Records fee revenue received from 102 N. Park Ave.	Pending
Stormwater (Fee In Lieu)	\$ 12,169	303-000-343.70-11	Fee in Lieu Receipts	303-3406-602.01-05	Misc. Drainage Improvement Projects	Records fee revenue received from 906 Railroad Ave.	Pending
Showalter Field Project Funding (OCPS, Rollins, WP High School)	\$ 949,588	301-0000-369.90-10	Capital Projects Misc. Revenue	301-0000-572.10-56	Showalter Field Improvements	Reflects \$200k received from WP High School Foundation. \$500k received from Rollins. \$249,588.49 received from OCPS.	Pending
Forestry (Tree Inventory)	\$ 20,000	001-0000-331.70-01	Tree Grants	001-6104-539.34-40	Forestry Contractual Services	Properly reflects a State grant received for Tree Inventory work.	Pending

## CRA Budget Amendments

Item	Amount	Source Account	Source Acct. Name	Exp. Account	Exp. Acct. Name	Note	Approval Date
1111 W. Fairbanks Purchase (Bowling Alley)	\$ 1,000,000	104-2308-515.01-71	NEW YORK STREETSCAPE	301-0000-572.10-57	PURCHASE BOWLING ALLEY PR	Contribution from CRA towards purchase of Bowling Alley Property at 1111 W. Fairbanks Ave.	2/22/2016
		104-0000-382.10-00	FUND BALANCE CARRYFORWARD				





# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016
prepared by	Michelle Neuner, Assistant City Manager	approved by	<input checked="" type="checkbox"/> City Manager <input checked="" type="checkbox"/> City Attorney <input type="checkbox"/> N/A
department			
division			
board approval		<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	final vote
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life. <input type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character. <input type="checkbox"/> Enhance city's brand through flourishing arts and culture. <input checked="" type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.		

## subject

Solid Waste Ordinance      **SECOND READING OF ORDINANCE**

## motion | recommendation

After receiving public input, approve first reading of an ordinance amending Chapter 82 of the Code of Ordinances governing Solid Waste.

## background

In 2015, The City began the effort to modernize our solid waste program ahead of entering into a new franchise. Kessler consulting was hired to evaluate our current program, identify opportunities to improve the solid waste program, assist with the development of an RFP for the franchise, assist in the establishment of new rates, and to rewrite the code. The franchise, an inter-local agreement with Seminole County for disposal, and the rates have all been established. Adoption of the recommended modified Code is the final step in completing this project.

The code has been updated as follows:

- All definitions have been reviewed, reworded and modified to meet current industry standards.
- Flexibility has been added to all appropriate sections to allow for expanded recycling services and future waste diversion opportunities as they become

financially and operationally feasible (This has also been identified in the franchise agreement).

- Establishes a nonexclusive permitting process for commercial recycling and source separated recyclable construction and demolition debris provided by other haulers. This process will allow the City to know who is providing the service and collect accurate information about the City's waste diversion and recycling efforts.
  - Establishes the process for granting a franchise and describes the duties of the franchisee, but does not require the franchise to be codified (the previous franchise was codified).
  - Provides for multi-family recycling at least once per week.
  - Amends City Code, Chapter 58 to require recycling space for multifamily residential and commercial structures for properties receiving CO after July 1, 2012 in accordance with FS 403.706(2)(c).
- For second reading, the ordinance has been modified to allow the City Manager or designee discretion to modify service times for commercial customers (previously only available on residential service).

## **alternatives | other considerations**

This ordinance may be adopted in whole or part by the City Commission.

## **fiscal impact**

N/A

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF ORDINANCES, GOVERNING SOLID WASTE, BY AMENDING, DELETING, AND ADDING PROVISIONS RELATING TO AND INCLUDING, WITHOUT LIMITATION, DEFINITIONS OF TERMS TO BE CONSISTENT WITH STATE LAW; PROHIBITED ACTS; SOLID WASTE AND RECOVERED MATERIALS COLLECTION SERVICE REQUIREMENTS; CONSTRUCTION AND DEMOLITION DEBRIS RECYCLING; EXCLUSIVE AND NONEXCLUSIVE PERMITTING PROCESS WITH REQUIREMENTS, TERMS, FEES, INSURANCE, EQUIPMENT, NOTICE AND REPORTING OF SERVICE BY PERMITEES AND REMEDIES RELATING TO VIOLATIONS; EXCLUSIVE AND NONEXCLUSIVE FRANCHISE RIGHTS AND OBLIGATIONS; REQUIRED USE OF CITY'S FRANCHISEE FOR COLLECTION AND REMOVAL OF SOLID WASTE AND RECYCLABLE MATERIALS; DUTIES OF FRANCHISEES; FREQUENCY OF COLLECTION; APPROVED CONTAINERS; PLACEMENT/PREPARATION OF CONTAINERS; BULK WASTE; COMMERCIAL AND RECYCLABLE MATERIALS COLLECTION; SPECIAL COLLECTION SERVICE; AMENDING CHAPTER 58, ARTICLE V OF THE CODE OF ORDINANCES, ENVIRONMENTAL PROTECTION REGULATIONS, TO REQUIRE ADEQUATE SPACE AND A RECEPTACLE FOR RECYCLING AS TO CERTAIN TYPES OF NEWLY DEVELOPED PROPERTY; AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Winter Park, Florida, hereby finds that it is in the best interests of the health, safety, and welfare of the citizens of Winter Park that the City update and amend Chapter 82 (Solid Waste) of the City Code of Ordinances and Chapter 58 (Land Development Code), Article V (Environmental Protection Regulations) of the City Code of Ordinances, as herein provided.

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

**Section 1. Findings of Fact.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

**Section 2. Amendment to City Code, Chapter 82.** Chapter 82 (Solid Waste) of the City Code of Ordinances is hereby amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; ellipses (“ . . .”) are used to separate the relevant Code Sections and are not part of the City Code):

Sec. 82-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Biological Waste means solid waste that causes or has the capability of causing disease or infection and includes, but is not limited to, biomedical waste, diseased or dead animals, and other wastes capable of transmitting pathogens to humans or animals. The term does not include human remains that are disposed of by persons licensed under chapter 497, Florida Statutes.

~~Building and clearing wastes means debris or wastes accumulated from land clearing, excavating, building, rebuilding, altering or demolishing buildings, structures, roads, sidewalks and curbs by an owner or contractor.~~

Bulk Waste means any non-vegetative item that cannot be containerized, bagged, or bundled, or whose large size or weight precludes its handling, processing, or disposal by normal methods.

Center Street Service Area ~~Corridor~~ means the specified area designated by the city which generally encompasses any commercial establishment ~~or place of business~~ or residence located within the boundaries of Canton Avenue to the north, Knowles Avenue to the east, Lyman Avenue to the south and Park Avenue to the west, ~~(as more particularly described in the Center Street Corridor Map maintained by the City of Winter Park)~~, adjacent to Center Street or having frontage on that portion of streets intersecting Center Street, within the described area.

Commercial Collection Service means the collection of solid waste within the service area from commercial establishments.

~~*Commercial container* means a trash, garbage, or recycling receptacle of varied size (one cubic yard to six cubic yards), or a compacting unit, furnished by the city to serve business, commercial or residential customers.~~

~~*Commercial Establishment or place of business* means a business, corporation, company, incorporated or limited concern, licensed to do business in the city and occupying space in the city, whether owned, leased or rented.~~

*Construction and Demolition (C&D) Debris* means discarded materials generally considered to be not water-soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project or from the renovation of a structure, and including rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land development operations for a construction project, including such debris from construction of structures at a site remote from the construction or demolition project site. Mixing of C&D debris with other types of solid waste will cause it to be classified as other than C&D debris. The term also includes:

- (1) Clean cardboard, paper, plastic, wood, and metal scraps from a construction project;
- (2) Except as provided in F.S. 403.707(13)(j); unpainted, non-treated wood scraps and wood pallets from sources other than construction or demolition projects;
- (3) Scrap from manufacturing facilities which is the type of material generally used in construction projects and which would meet the definition of construction and demolition debris if it were generated as part of a construction or demolition project. This includes debris from the construction of manufactured homes and scrap shingles, wallboard, siding concrete, and similar materials from industrial or commercial facilities; and
- (4) De minimis amounts of other nonhazardous wastes that are generated at construction or destruction projects, provided such amounts are consistent with best management practices of the industry.

*Container* means a roll cart, dumpster, compactor, roll-off, or any other container approved by the city intended for collection of solid waste and recyclable materials.

*Designated Facility* means the facility designated by the city for delivery of materials collected pursuant to the franchise agreement.

E-Waste means discarded electronic devices and components including, but not limited to, computers, monitors, keyboards, mice, terminals, printers, modems, scanners, cell phones, televisions, copiers, and other electronic equipment as defined by the city.

Franchise Agreement means a written agreement between a franchisee and the city, which sets for the specific terms, conditions, and limitations of the solid waste and recyclables collection services franchise.

Franchisee means a person to whom the city has granted a franchise.

~~Garbage means wastes from the preparation, handling, cooking and serving of food; market refuse; waste from the handling, storage and sale of produce and meats. Food containers such as cans and bottles and wrappings for food are considered garbage.~~

~~Garden trash means all accumulations of grass or shrubbery cuttings and other refuse attending the care of lawns, shrubbery, vines, trees and tree limbs. Waste or excess citrus fruit grown on the property is considered garden trash.~~

~~Hazardous ~~Waste~~ means those elements or compounds which are contained in the list of hazardous substances adopted by the United States Environmental Protection Agency (EPA) and the list of toxic pollutants designated by Congress or the EPA or defined by any other federal, state or local statute, law, ordinance, code, rule, regulation, order or decree regulating, relating to, or imposing liability or standards of conduct concerning, any hazardous, toxic or dangerous waste, substance or material as now or at any time hereafter in effect, including, but not limited to F.S. § 403.703(21): solid waste, or a combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed. The term does not include human remains that are disposed of by persons licensed under F.S. § Chapter 497.~~

~~Household Hazardous Waste or HHW means products generated by residents that contain corrosive, toxic, ignitable, or reactive ingredients, including but not limited to, paints, cleaners, oils, batteries, and pesticides, or other household materials that contain potentially hazardous ingredients, and that require special care for disposal.~~

~~Household refuse means a mixture of trash and garbage.~~

~~Industrial processing wastes means the waste products of canneries, slaughterhouses, packing plants, large quantities of condemned food products or wastes from other industrial plants or manufacturing processes.~~

Multi-Family Collection Service means the non-curb-side collection of solid waste and program recyclables from multi-family units, and delivery of collected materials to the designated facility. Residential units not desiring to receive curb-side residential collection service may choose to receive multi-family collection service.

Multi-Family Unit means any building containing four (4) or more permanent residential living units.

~~Noncombustible refuse means refuse material that is unburnable at ordinary incinerator temperatures (800 degrees to 1,800 degrees Fahrenheit). This includes metals, mineral matter, large quantities of glass or crockery, metal furniture, auto bodies or parts or other refuse not usual to housekeeping or to the operation of stores or offices.~~

Program Recyclables refers to recyclable materials, including single stream and segregated cardboard, collected from residential and multi-family units, center street service area, city facilities, city-sponsored events, and city-designated public areas. The city's list of materials that are included in program recyclables may be amended at the city's discretion as markets develop for additional materials.

~~Recyclable ~~m~~Materials means those materials which are capable of being recycled and which would otherwise be processed or disposed of as solid waste, including, but not limited to, newspapers, glass bottles, metal cans (aluminum and delabeled tin), plastic containers and such other recyclable materials as the city may designate as part of its recycling program.~~

~~Recycling container means a container made of rigid plastic construction as shall be approved by the city for use for recycling collection services pursuant to the city's recycling program.~~

Refuse means any material the owner generator desires to be disposed of, whether it has salvage value or not. Refuse may consist of garbage, trash, yard or garden trash or industrial wastes, solid waste, yard waste, recyclable materials, and any other waste materials.

~~Refuse can means a galvanized metal or plastic can commonly manufactured and sold as a refuse can. Capacity shall not be less than four gallons or more than 32 gallons, and~~

~~shall weigh no more than 50 pounds. The can shall have a tight fitting lid and two handles by which the can may be lifted.~~

~~*Refuse cart* means a container between 64 and 96 gallons capacity, on wheels for rolling, with a nonremovable hinged lid, suited to dumping equipment provided by the city garbage collection vehicles, and contents not over 250 pounds.~~

*Residential Collection Service* means curbside collection of solid waste, program recyclables, yard waste, and bulk waste from residential units, and delivery of collected materials to the designated facility. Multi-family units with adequate curbside access may choose to receive residential collection service and be billed individually as a residential unit. Yard waste as part of Residential Collection Services does not include debris generated by landscapers or lawn maintenance services.

*Residential Unit* means single family detached homes, duplexes, and triplexes.

*Roll Cart* means a wheeled container designed and intended to be used for automated collection of solid waste and recyclable materials.

*Service Area* means the area within the municipal boundaries of the City of Winter Park, Florida, as may be modified from time to time pursuant to F.S. § Chapter 171.

*Single Stream* refers to a recycling process that allows for recyclable materials to be collected comingled, with containers and paper collected in the same container.

*Sludge* includes the accumulated solids, residues, and precipitates generated as a result of waste treatment or processing, including wastewater treatment, water supply treatment, or operation of an air pollution control facility, and mixed liquids and solids pumped from septic tanks, grease traps, privies, or similar waste disposal appurtenances.

*Solid Waste* means sludge unregulated under the federal Clean Water Act or Clean Air Act, sludge from a waste treatment works, water supply treatment plant, or air pollution control facility, or garbage, rubbish, special waste, or other discarded material, including liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. For the purposes of the city's ordinance, solid waste does not include sludge, yard waste, or recyclable materials.

*Special Collection Services* means collection service provided to residential units, multi-family units, and commercial establishments for bulk waste, white goods, yard waste, and e-waste.



Special Wastes means solid wastes that can require special handling and management, including, but not limited to, white goods, waste tires, used oil, lead-acid batteries, C&D debris, ash residue, yard waste, and biological wastes. For the purposes of the city's ordinance, special wastes includes e-waste.

~~Trash means accumulations of paper, excelsior, rags, wooden or paper boxes or containers, sweepings and other accumulations of a nature other than garbage which are usual to housekeeping and to the operation of stores, offices and places of business. Trash shall not include garden trash, noncombustible refuse, industrial processing wastes or building and clearing wastes.~~

White Goods means and includes discarded air conditioners, heaters, refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial large appliances.

Yard Waste means vegetative matter resulting from landscaping maintenance and land clearing operations and includes associated rocks and soils. For the purposes of the city's ordinance, yard waste does not include land clearing operations or associated rocks and soils.

...

~~Sec. 82-6. Nonpayment of fees and penalties; suspension of utility service.~~

~~Notwithstanding the above provisions providing for enforcement of violations of this chapter, nonpayment of fees and penalties imposed by this chapter for a period of 25 days after the billing date shall constitute grounds for the suspension of any or all utility services, including, but not limited to, water, sewer, electric and refuse, until payment is made. The procedure set forth in section 102-134 shall be followed prior to suspension of any utility services.~~

~~Sec. 82-7. Refuse disposal.~~

~~(a) *Public places.* No person shall place, throw or abandon any refuse on any traveled way, sidewalk, alley or other public place. No person shall throw or deposit any refuse in any lake, stream or other body of water.~~

~~(b) *Private property.* No person shall place or throw any refuse on private property, whether owned by such person or not, within the city, except in proper containers for collection or under express approval granted by the city manager or his designee.~~

~~(c) *Special collection center.* No person shall cast, place, sweep or deposit any hazardous waste upon the premises of the special collection center located at 1441 Howell Branch Road, Winter Park, Florida, 32789, unless otherwise permitted by law.~~

~~(d) *Unauthorized accumulation.* Any unauthorized accumulation of refuse on any premises is declared to be a nuisance and is prohibited.~~

~~(e) *Scattering refuse.* No person shall cast, place, sweep or deposit anywhere within the city any refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place or into any occupied premises within the city.~~

Sec. 82-7 – Prohibited acts.

(a) It shall be unlawful and an offense against the city for any unauthorized person, entity or corporation to do any of the following:

(1) To dispose of solid waste or recovered materials except as provided in this chapter or fail to comply with a provision of a federal, state, or local law, statute, ordinance, resolution, rule, regulation or policy.

(2) To place, throw, or abandon any solid waste or recovered materials in or upon any public street, sidewalk, right-of-way, alleyway, or other public place in the city, or any stream, ditch, river, pond, creek, or other body of water.

(3) To place or throw solid waste or recovered materials on private property, whether owned by such person or not, within the city, except in proper containers for collection or under express approval granted by the city manager or his designee.

(4) To place or cause to be placed any solid waste or recovered materials in a container belonging to another without proper authority.

(5) To disturb or remove after placement for collection any solid waste or recovered materials placed curbside for collection or from any container after it has been placed therein for collection.

(6) To disturb or removed after placement for collection any recyclable material placed curbside for collection or from any container after it has been placed therein for collection. It is not the intent of this section to prohibit any

nonprofit organization from soliciting recyclable materials for the purpose of resource recovery and recycling.

(7) To accumulate or cause to be accumulated any solid waste or recovered materials on any premises without authorization.

(8) To cast, place, sweep, or deposit anywhere within the city any solid waste or recovered materials in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other public place or into any occupied premises within the city.

(9) To place out for collection any biological, hazardous, industrial, or infectious solid waste without first arranging for proper disposal. Such solid waste shall be disposed of according to applicable law.

(10) To produce or accumulate any C&D debris, tree branches or similar debris while acting in the capacity of a contractor (such as tree surgeon, landscaper, or building contractor), without removal and delivery of the same to a permitted disposal site.

(11) To convey or cause to be conveyed over and upon any streets, roads, highways and alleyways of the city any solid waste or recovered materials without an appropriate license or authority.

(12) To allow solid waste or recovered materials to spill, blow, or drop from any vehicle on any road or to transport any solid waste or recovered materials over any public road unless the solid waste or recovered materials are securely tied or covered so as to prevent leakage or spillage onto the road.

(b) The city incorporates the provisions of F.S. § 403.413, the Florida Litter Law, as part of this section, and violations of said law may be subject to the enforcement provisions of this section.

...

~~Sec. 82-31. Authority and supervision.~~

~~All refuse accumulated in the city shall be collected, conveyed and disposed of by the city under the supervision of the city manager or his designee. The city manager or his designee shall have the authority to make such regulations pertaining to the days of~~

~~collection, type and location of refuse containers and such other matters as he shall find necessary, provided that such regulations are not contrary to the provisions of this chapter.~~

Sec. 82-31 – General solid waste and recovered materials collection service requirements.

(a) All solid waste and recovered materials collection services shall meet all applicable federal, state, and local requirements and shall be conducted in accordance with general industry standards.

(b) All solid waste and recovered materials collection vehicles operating in the city shall be clearly marked with the solid waste or recovered materials collector's name and telephone number.

(c) All trucks, trailers, and other vehicles used to collect, transport, and process or dispose of recovered materials or solid waste in the city or to transport refuse over any public roadways in the city shall:

(1) Comply with all local, regional, state and federal roadway weight limits.

(2) Be constructed as watertight as possible to limit the escape of water or other fluids from the vehicle.

(3) Be fully enclosed, securely tied, or covered so as to prevent the leakage or spillage. It shall be unlawful for any person to allow materials to spill, blow, or drop from any vehicle on any road.

(4) Be washed thorough on the exterior of the body at least weekly.

(5) Be washed thoroughly on the inside of the body and sanitized with an effective disinfectant and deodorant to eliminate odor, at least weekly if putrescible waste is collected.

~~Sec. 82-32. – Preparation of refuse.~~

~~(a) *Household refuse.* All household refuse shall have drained from it all free water before being placed in the refuse can or refuse cart. Any wet garbage matter shall be wrapped in paper before being deposited in the refuse can or refuse cart. All cans, bottles, boxes and wrappings which have contained food shall be thoroughly drained before being deposited in the refuse can or refuse cart. All trash shall have drained from~~

~~it all free water before being placed in refuse cans or refuse carts. Household chemical containers such as bleach, garden sprays or any container for material of a toxic or semitoxic nature shall be thoroughly rinsed and drained before being placed in refuse cans and refuse carts. Plastic refuse bags may be utilized to dispose of refuse. Each plastic refuse bag shall not exceed 32 gallon capacity or 50 pounds weight limit, and may not be less than two and one half mils thickness. Paper bags specifically manufactured for the disposal of refuse may also be used, subject to the capacity and weight limit maximums for plastic refuse bags.~~

~~(b) *Garden trash.* Tree trimmings, hedge clippings and similar material shall be cut to length not to exceed four feet. Grass trimmings shall be placed in refuse containers or refuse bags, which shall not exceed 50 pounds in weight per container or refuse bag. Waste or excess citrus fruit shall be placed in cans or refuse bags. Not more than 16 gallons or one half of the can or bag shall be filled with fruit due to its weight. If plastic refuse bags are utilized, the same criteria shall apply as that given under household refuse.~~

Sec 82-32 – Construction and demolition debris recycling.

In accord with F.S. § 403.707(9)(g), the city requires that, to the extent economically feasible, all C&D debris must be processed prior to disposal, either at a permitted materials recovery facility or at a permitted disposal facility. This does not apply to recovered materials, any materials that have been source separated and offered for recycling, or materials that have been previously processed.

~~Sec. 82-33. Cans, carts and containers—Location.~~

~~(a) Refuse cans, refuse carts and commercial containers shall be kept in a place that is easily accessible to city employees, designated haulers or contractors, and that does not obstruct any public right-of-way. In between pick-up, refuse cans and refuse carts shall be kept at the rear of the establishment or residence or in a side yard out of sight from the street, except as provided in subsection (b) of this section.~~

~~(b) Commercial containers for use by any establishment or place of business or residence located within the Center Street Corridor, as defined in section 82-1, shall be kept in those locations on Center Street specified by the city manager or his designee.~~

Sec. 82-33. - Authority and supervision.

The city has the authority to grant exclusive franchises, nonexclusive franchises, permits, and/or licenses to persons, firms, or corporations for collecting, hauling, processing, or disposing of solid waste, yard waste, recyclables materials, and any other waste materials. The city manager or his designee is shall have the authority to make regulations regarding storage, collection, hauling, processing, and disposal of all refuse generated within the city, and be responsible for the enforcement of such regulations.

~~Sec. 82-34. - Same - Condition.~~

~~Refuse cans shall be provided by the tenant, owner, lessee or occupant of the premises and shall be maintained in good condition. Any refuse can that does not conform to the provisions of this chapter or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be condemned by the department of public works and promptly replaced by the owner on notice. The city manager or his designee shall have the authority to refuse collection services for failure to comply with this section.~~

Sec. 82-34. – Nonexclusive permitting process

Required:

(a) No person may collect or transport commercial recyclable materials, source separated recyclable construction and demolitions debris, or non-exclusive construction and demolition debris within the city without first obtaining a nonexclusive permit from the city. This provision applies to all persons except facilities within the city owned or operated by a governmental subdivision or entity of the state, the school district or a special taxing district.

(b) Each person desiring to perform the above in the city shall make application for a nonexclusive permit to the city which application shall be made on forms provided by the city and shall provide, at a minimum, the following:

- (1) Name and address of business;
- (2) Name and address of owner of business;
- (3) Corporate officers and directors and certificate of good standing;
- (4) Permanent place of business;
- (5) Copy of local business tax receipt;

- (6) Evidence of certification from the Florida Department of Environmental Protection;
- (7) Certification that all recovered materials collected will be recycled at a state-certified recycling facility;
- (8) Description of equipment to be utilized;
- (9) Copy of certificate of insurance; and
- (10) Agreement to comply with all conditions of permit and provisions of this article.

Terms:

The term of a nonexclusive permit to collect, transport and process nonexclusive solid waste services shall be for one year or a partial year beginning on October 1 of each year. Each permit shall expire on September 30 of each year, but may be renewed from year to year upon application, payment of permit fees, annual report of total tonnage of solid waste and recycles collected within the city, and a demonstration that the permittee is in compliance with the terms of this article.

Fees:

A holder of a nonexclusive permit shall pay the permit fee of \$250.00 for each year or fraction thereof, which fee shall be paid on or before October 1, for each year of renewal. The city commission may modify the permit fee by adoption of a resolution.

Insurance:

Each permittee shall maintain an insurance policy from a company acceptable to the city and licensed to do business in the state for a public liability and property damage in the amount of no less than \$250,000.00 per person and \$500,000.00 per accident, with \$250,000.00 property damage. The city shall be named as an additional insured and the policy shall provide that the city shall be given no less than 30 days' written notice prior to cancellation or modification. A copy of said policy shall be filed with the city's representative. Throughout the duration of the franchise agreement, the contractor shall supply the city with a renewal or replacement certificate of insurance not less than 30 days before expiration or replacement of the insurance for which a previous certificate has been provided.

Equipment:

All equipment operated by the permittee shall be in good repair, appearance and in a sanitary condition at all times. All materials hauled by the permittee shall be so contained that spilling of any nature is prevented.

Charges:

Fees to be charged to those utilizing the services of the permittee are strictly a matter of negotiation between the permittee and the user and will not be controlled or established by the city.

Notice of intention to offer service; report of service:

Each permittee shall advise the city, in writing, of each location and business at which the permittee intends to collect commercial source separated recyclable materials in advance of the commencement of collection. Each permittee shall submit to the city on or before the 20th day of the month following the month of service a report indicating, at a minimum, the business names, addresses, telephone numbers, types, sizes, quantities and frequencies of containers being serviced by the permittee.

Remedies relating to nonexclusive permit to collect, transport and process commercial recyclable materials:

(a) It is unlawful for any person, after notice from the city, to employ or continue to employ any company to transport nonexclusive solid waste services which company does not hold a nonexclusive permit issued by the city.

(b) It is unlawful for any person, partnership or corporation to collect, transport or process commercial recyclables, source separated commercial and demolition recyclable materials, and nonexclusive commercial and demolition recyclable materials without first securing a nonexclusive permit from the city.

(c) Should any permittee be found, after notice and an opportunity to be heard, by the city manager, to be in violation of the terms and conditions of this article, then the city manager may suspend or revoke the permit and the right to reapply for same for a period of up to three years. The decision of the city manager may be appealed to the city commission upon filing an appeal with the city clerk within ten days after the issuance of the decision by the city manager.



~~Sec. 82-35. Refuse carts.~~

~~(a) *Required use.* For each residential property within the city that is not served by a commercial container, the city shall provide up to two refuse carts per household for household refuse and garden trash, and one recycling container for recyclable materials, at no charge to the residents. Use of the refuse carts and recycling containers is mandatory for all residents whose property is not served by a commercial container, except that the city shall not mandate refuse cart use to residents who became residents of the city before July 13, 1988.~~

~~(b) *Additional carts.* At the request of a resident of any household that is not served by a commercial container, the city may provide additional refuse carts and recycling containers, for which the resident will incur a one time delivery fee, as well as an additional monthly service charge per additional container. Additional refuse carts and recycling containers are the property of the city or its designated hauler or contractor.~~

~~(c) *Replacement.* The city will replace at its expense any refuse cart or recycling container that is lost, damaged or worn through no fault of the resident. The city will replace at the resident's expense any refuse cart or recycling container that is lost, damaged or worn through the fault of the resident, based on the cost of the cart or container as determined by the city.~~

~~(d) *Collection.* If the city commission determines that refuse carts or recycling containers are no longer suitable for collection of refuse or recyclable materials, respectively, the city may terminate refuse cart or recycling container collections, whereupon the refuse carts or recycling containers shall be returned to the city.~~

Sec. 82-35 – Exclusive franchise agreement.

(a) The city may enter into an exclusive franchise agreement or agreements with any person to provide for residential and/or commercial solid waste, yard waste, recyclables materials, and other waste materials collection services as provided for in Sec. 82-36 (Grant of franchise), except as may be prohibited by state law. Each franchise agreement shall contain such terms and conditions as prescribed and set forth in the procurement documents of the city and shall be awarded in accordance with the procedures of the city commission.

(b) This chapter herein sets forth the conditions of exclusive rights and privileges granted in the exclusive franchise agreement to provide collection services for solid

waste, yard waste, recyclable materials, and other waste materials generated within the city. For the remainder of this chapter, the term solid waste shall not include sludge, yard waste, or recyclable materials.

(c) If the city has entered into an exclusive franchise agreement, no other waste collector shall be permitted to provide those collection services exclusively granted by the franchise agreement.

(d) The city may require a non-exclusive franchise, permit, or license for to persons, firms, or corporations for collecting, hauling, processing, or disposing of solid waste or recovered materials not included in the exclusive franchise agreement.

~~Sec. 82-36. Points of collection.~~

~~(a) Location. Refuse cans, refuse carts, refuse bags containing household refuse and garden trash, and recycling containers containing recyclable materials, shall be placed at the curb for collection, unless the city manager or his designee has arranged collection at the rear or side of the property being served because the residents thereof are not physically able to place the items at the curb.~~

~~(b) Placement and removal times. Unless excepted as provided in subsection (a) of this section, residents shall place all refuse cans, refuse carts, refuse bags, and recycling containers to be collected at the curb in front of the property being served no earlier than 4:00 p.m. the evening before the day of collection and shall remove all empty refuse cans, carts, and containers from the curb and return them to a location at the side or rear of the property being served no later than 9:00 p.m. of the day of collection.~~

~~(c) Responsibility for compliance. The residents of the property being served by city collection shall be jointly and severally responsible for placing refuse cans, refuse carts, refuse bags, garden trash, and recycling containers at the proper location at the proper time for collection and, after collection, removing all empty refuse cans, carts, and containers from the curb and returning them to the proper locations stated in subsection (b) of this section by the time stated therein. The owners of the property being served shall be presumed to be residents of the property and, therefore, responsible for compliance with this section, unless, within five days after notification of a violation of this section, the owners have provided the city manager or his designee with the names and addresses of the persons other than the owners who were the actual residents of the property being served by city collection at the time of the violation.~~

Sec. 82-36 – Grant of franchise.

Without limiting the city's authority, as part of approving an exclusive franchise to provide collection services for solid waste, yard waste, recyclable materials, and recovered materials, the following provisions apply:

(a) The franchisee shall have the exclusive right and responsibility to provide the following services:

(1) Collection and removal of all solid waste generated and accumulated within the city by residential and commercial establishments, except as otherwise specifically provided for in this chapter.

(2) Collection and removal of all segregated residential yard waste generated and accumulated within the city, with the exception of debris generated by landscapers or lawn maintenance services or as otherwise specifically provided for in this chapter.

(3) Collection and removal of all residential recyclables generated and accumulated within city, except as otherwise specifically provided for in this chapter.

(b) The franchisee does not have the exclusive right to provide the following services:

(1) Special collection services; however, the franchisee is required to provide special collection service, upon request, by residential, multi-family, and commercial customers.

(2) Collection and removal of recyclable materials from commercial establishments. For any C&D debris to be considered recyclable materials, the recyclable materials must be source-separated on site and contain less than 10 percent solid waste by volume. Source-separated means that the recyclable materials are separated from solid waste at the location where the recyclable materials and solid waste are generated. All C&D debris not meeting this requirement shall be considered solid waste by commercial establishments.

(3) Collection and removal of yard waste from multi-family units or commercial establishments, or debris generated by landscapers or lawn maintenance services.

(4) Collection and removal of C&D generated from existing residential units.  
Existing means that the unit has been built at time collection service for C&D  
debris is desired.

~~Sec. 82-37. Frequency of collection; use and maintenance of container, tops.~~

~~(a) *Residential.* Refuse accumulated by residences shall be collected at such times as shall be established by the city. In all cases where garbage is deposited in refuse carts, the top shall be kept closed at all times except when the container is being filled. The customer is responsible for notifying the city if the top of the refuse cart is damaged or inoperable.~~

~~(b) *Commercial.* Hotels, apartments, restaurants and such other establishments or businesses shall be served on the basis of need. Terms of collection shall be established by written agreement between the owner of each establishment or place of business or residence utilizing a commercial container and the city's designated contractor, except those establishments or places of business or residences located within the Center Street Corridor. Where necessary to protect the public health, the city manager or his designee shall have the authority to require more frequent collections than those required by the above described written agreement. It is the responsibility of the user to keep the area around the container clean and free from loose trash or garbage. The city manager or his designee shall notify the county health department of any violations. In all cases where garbage is deposited in a container, the container top shall be kept closed at all times except when the container is being filled. The customer is responsible for notifying the city if the top of the container is damaged or inoperable.~~

~~(c) *[Exception.]* Any establishment or place of business or residence located within the Center Street Corridor, as defined in section 82-1, shall dispose of refuse only in the commercial containers located on Center Street.~~

~~(d) *Special collections.* Upon request, the department of public works will make unscheduled collections of garden trash that is not in containers or bundled and an extraordinary quantity (more than three cubic yards) of refuse in containers or bundled. Placing such types or quantities of refuse at the curb shall constitute a request for a special collection. For commercial concerns, a special collection beyond the quantity and frequency to which was agreed in accordance with subsection (b) of this section shall be made on the request of the owner of the establishment or business or when the city manager or his designee determines that a special collection is necessary to protect the public health.~~

Sec. 82-37 – Use of franchise services required.

(a) Every owner, tenant, or resident of a residential unit shall utilize the service of the city's franchisee for collection and removal of solid waste, yard waste, and recyclable materials.

(b) Every owner, tenant, or resident of a multi-family unit shall utilize the service of the city's franchisee for collection and removal of solid waste and recyclable materials.

(c) Every owner or tenant of a commercial establishment, or owner or developer of a demolition site with the exception of existing residential units as noted in Section 82-36(b)(4), shall utilize the service of the city's franchisee for collection and removal of solid waste, including C&D.

(d) Any residential unit, multi-family unit, or commercial establishment within the city that is constructed, occupied, or capable of being occupied, shall be presumed to be generating solid waste for collection.

(e) Collection service is not required for vacant or unimproved property; however, the owner of vacant or unimproved property within the city shall have the responsibility to ensure that his property remains free from wastes and inappropriate accumulation of refuse on said property.

(f) It shall be the responsibility of the owner, tenant, resident, or developer to pay for and to utilize such services.

(g) This article shall not preclude an owner, tenant, or resident from self-hauling solid waste, yard waste, recyclable materials, or any other waste material to an appropriate recycling, processing, or disposal site in lieu of using the city's franchise services.

(h) This article shall not preclude a resident or commercial establishment to source-separate food waste, or other materials for the purpose of diverting it from disposal, and provide for collection and removal of materials outside of the franchise.

~~Sec. 82-38. Removal of recyclable materials.~~

~~It shall be unlawful for any person, except city personnel or the city's duly authorized agent, to collect or otherwise remove any recyclable material which has been specifically placed for collection in recycling containers as part of the city's recycling program. It is not the intent of this section to prohibit any nonprofit organization from~~

~~soliciting recyclable materials for the purpose of resource recovery and recycling in pursuit of the goals of such nonprofit organization.~~

Sec. 82-38 – Duties of franchisee.

The franchisee shall carry out and perform all provisions in the franchise agreement including, at a minimum, the following:

(a) Comply with all applicable federal, state, county and city laws, rules, regulations and ordinances.

(b) Assist the city in complying with state law relative to recycling including encouraging all customers to recycle and providing collection of recyclable materials to commercial establishments upon request.

(c) Provide access to the city, upon reasonable notice, full access to all records with respect to the franchise agreement.

(d) Collect and remove all properly contained, bundle, and stacked solid waste, yard waste, recyclable materials, or any other waste materials generated by customers within the city, except as otherwise provided in this chapter and pursuant to the terms and conditions of the franchise agreement.

(e) Collect materials generated within the city separate from materials generated outside of the city and adhere to other restrictions on mixed loads as stipulated in the franchise agreement.

(f) Conduct residential and multi-family collection service between the hours of 7:00 a.m. and 7:00 p.m. Mondays through Fridays and not engage in any collection service for residential or multi-family units at any time on Saturdays or Sundays, unless prior approval is obtained by the city manager or his designee. Conduct commercial collection service between the hours of 6:00 a.m. and 6:00 p.m. Monday through Sunday for commercial establishments and limit Saturday and Sunday collection to only essential collection service, unless prior approval is obtained by the city manager or his designee.

(g) Maintain all containers in accordance with general industry standards and as appropriate for the type of container including, but not limited to, meeting any city-required technical specifications; having city-required markings; having lids in proper, safe, working condition; being rust-free; maintaining an acceptable appearance; having

drain plugs installed to retain storm water and prevent leaching; and ensuring containers are clean and free from offensive odors.

(h) Dispose of solid waste, yard waste, recyclable materials, and C&D debris at a facility approved by the city.

(i) Allow the city to inspect any and all vehicles and equipment used.

(j) Not unduly interfere with vehicular or pedestrian traffic while conducting operations.

(k) Operate in a manner which does not cause a nuisance or undue noise.

~~Sec. 82-39. Schedule of collection fees.~~

~~Fees prescribed in this article are payable to the city monthly. Fees due and payable for collection and disposal of refuse and for the availability of service shall be as established by the city.~~

Sec. 82-39 – Frequency of collection.

(a) Residential collection service.

(1) Solid waste shall be collected twice per week.

(2) Recyclable materials shall be collected once per week.

(3) Yard waste shall be collected once per week.

(b) Multi-Family collection service.

(1) Solid waste collection shall be provided on the basis of need, but at least once per week. The city shall have the authority to require more frequent collections to protect public health.

(2) Recyclable materials shall be collected on the basis of need, but at least once per week.

(c) Commercial collection service.

(1) Solid waste collection shall be provided on the basis of need, as often as once per day, but at least once per week unless otherwise approved by the city manager or his designee. The city shall have the authority to require more frequent collections to protect public health.

(2) Recyclable materials shall be collected on the basis of need, but at least once per week.

~~Sec. 82-40. Nonpayment of fees.~~

~~(a) Fees prescribed in this article are payable to the city monthly.~~

~~(b) The penalties and remedies contained in this section shall be cumulative and shall be in addition to any and all other penalties and remedies contained in this Code for the violation thereof.~~

Sec. 82-40 – Approved containers for residential collection service.

(a) Solid waste. Each residential unit or multi-family unit receiving curbside collection service shall be issued one roll cart for solid waste. The use of a city-issued roll cart for solid waste is mandatory for all customers receiving residential collection service. If a residential customer generates large quantities of solid waste, the customer may request up to one additional roll cart to accommodate the extra materials. An additional monthly service fee shall be charged to the customer for servicing a second solid waste roll cart.

(b) Recyclable materials. Each residential unit or multi-family unit receiving curbside collection service shall be issued a roll cart for recyclable materials. The use of a city-issued roll cart for recyclable materials is mandatory for all customers receiving residential collection service. If a residential customer generates large quantities of recyclable materials, the customer may request an additional roll cart to accommodate the extra materials. No additional monthly service fee shall be charged to the customer for servicing a second recyclables roll cart.

(c) Yard waste. Yard waste containers shall be equipped with suitable handles and tight-fitting covers, except plastic or paper bags. Plastic and paper bags shall be securely sealed. Containers shall be in good condition without ragged or sharp edges or holes and able to support the weight of its contents. Overloading shall be avoided to minimize



accidental opening during normal handling. Containers for yard waste shall be provided by the owner, tenant, lessee, or occupant of the premises. Any container that does not conform to the provisions of this chapter and is liable to hamper or injure the person collection the contents thereof shall be condemned by the department of public works and promptly replaced by the owner on notice. The city manager or his designee shall have the authority to refuse collection services for failure to comply with this section.

~~Sec. 82-41. Removal of special refuse.~~

~~The removal, transport and disposal of industrial processing wastes, noncombustible refuse and building and clearing wastes must be accomplished by the owner, occupant, operator or contractor performing such work, as the case may be. Spent oils or grease accumulating at garages, filling stations or similar establishments shall be removed by the owner, occupant or operator.~~

Sec. 82-41 – City-issued roll carts for residential collection service.

(a) City-issued roll carts are the property of the franchisee or the city pursuant to the franchise agreement and at no time shall be considered the property of the customer.

(b) Each solid waste and recyclable materials roll cart has a serial number that shall be assigned to the property to which the roll cart is issued. It shall be unlawful and a violation of this chapter for any person to remove city-issued roll carts from the property to which they were assigned, for any person to use such roll carts for any other purpose than storing solid waste or recyclable materials for collection, or to intentionally damage or destroy such roll carts.

(c) It is the responsibility of the customer to which a roll cart has been issued to keep it clean and protect it from theft, destruction, and damage beyond repair. The city must be notified if a roll cart is stolen, lost, or damaged, or of defects or malfunction. The customer shall notify the city prior to vacating a premises and shall place the container in a safe location where it is accessible to the city.

(d) The franchisee shall be responsible for the maintenance and repair of roll carts due to normal wear and tear. The city will have replaced any roll cart that is stolen, lost, or damaged through no fault of the customer at no cost to the customer. However, damage to roll carts resulting from abuse or negligence on the part of the owner, tenant, lessee, or occupant at a particular service location shall be the responsibility of the customer to which the container was supplied. The city shall determine the extent of the

damage and assess costs for repair or replacement based on the cost of the roll cart as determined by the city.

~~Sec. 82-42. Liens for nonpayment of fees—Generally.~~

~~All fees and penalties for nonpayment, together with lawful interest thereon, provided for in this article shall be a lien upon the property for which the service is provided. If the fees shall remain unpaid 60 days after the fees are due and payable, an administrative fee shall be imposed, and the lien, including the administrative fee, shall be recorded in the records of the county. The city shall have the power and authority to enforce the liens by foreclosure in accordance with law.~~

Sec. 82-42 – Preparation, storage, and placement of waste by residential customers.

(a) Solid waste, recyclable materials, and yard waste shall each be placed and maintained in separate containers.

(b) Preparation for collection.

(1) Solid waste.

a. The following materials are not permitted for disposal in roll carts: biological waste, biomedical waste, hazardous waste, special wastes (including, but not limited to, e-waste, white goods, waste tires, used oil, lead acid batteries, and mercury containing devices or lamps), contractor-generated waste, industrial waste, rocks, sod, dirt, or excessive amounts of yard waste and/or C&D debris.

b. All household solid waste shall be drained of liquid before being placed in the roll cart for collection.

c. The roll cart shall not be filled above a height allowing the attached lid to be completely closed. The lid shall be kept closed at all times except when the roll cart is being filled. The customer is responsible for notifying the city if the roll cart lid is damaged or inoperable.

d. Roll carts may not weigh more than 200 pounds when placed for collection.

(2) Recyclable materials.

a. All recyclable materials shall be drained of liquid and free of food residue before being placed in the roll cart for collection.

b. Cardboard shall be flattened or cut down to fit completely within the roll cart.

c. The roll cart shall not be filled above a height allowing the attached lid to be completely closed. The lid shall be kept closed at all times except when the roll cart is being filled. The customer is responsible for notifying the city if the roll cart lid is damaged or inoperable.

d. Roll carts may not weigh more than 200 pounds when placed for collection.

(3) Yard waste.

a. Yard waste may be stored for collection in suitable containers as described in this article. The contents of such containers shall not extend above the top or rim thereof, and they shall be contained by tight-fitting covers.

b. Yard waste that is not easily containerized may be bundled or stacked neatly at the curb. Tree trimmings, hedge clippings, and similar material shall be cut to length not to exceed four (4) feet. This limitation shall not apply to Christmas trees.

c. Containers, ~~plastic or paper~~ bags, or bundles may not weigh more than fifty (50) pounds each. Each plastic bag shall not exceed 32-gallon capacity and may not be less than two and one-half mils thickness. Paper bags specifically manufactured for the disposal of yard waste may also be used, subject to the capacity and weight limit maximums for plastic bags.

d. Yard waste is limited to three (3) cubic yards per customer per weekly collection.

(c) Storage and placement for collection.

(1) No person shall place any refuse, trash, garbage cans or trash bags on, upon or over any storm drain, or so close thereto as to be drawn by the elements into same, which would result in or tend to cause a blockage of any part of such storm drainage system.

(2) No person shall place any accumulations of refuse and trash, whether contained in approved containers or loosely accumulated, in any street, alley or other public place of travel, nor upon any private property except the person's own property or swale. In all cases where conditions permit, the placement for collection shall be in the swale area between the street pavement and sidewalk line, unless the city manager or his designee has arranged for collection at the rear

or side of the property being served because residents thereof are not physically able to place the items at the curb. Yard waste and tree trimmings which are not containerized must be neatly bundled or stacked and placed as aforesaid.

(3) Roll carts put out for collection shall be placed within three feet of the curb with the handle facing away from the curb. Roll carts shall be placed at least three feet away from any other object, including, but not limited to, other carts, trees, mailboxes, parked cars, fire hydrants, fences, poles, or under low hanging trees or overhead wires. Yard waste and bulk waste shall be collected within the same approved collection guidelines as roll carts. The city manager or his designee shall have the authority to approve or specify an alternative location for special collection services.

(4) Residents shall place roll carts at the curb in front of the property being served no earlier than 4:00 p.m. the evening before the day of collection and shall remove all empty roll carts and containers from the curb and return them to a location at the side yard or rear of the property being served out of sight from the street no later than 9:00 p.m. of the day of collection. Yard waste may be placed for collection no earlier than the day preceding the scheduled collection day. No yard waste shall be placed curbside after a named storm, storm watch, or warning has been issued by the National Weather Service until the storm watch or warning has been lifted.

(5) Customers are responsible for cleanup from bags torn or containers spilled by animals, or otherwise spilled through no fault of the franchisee. Franchisee is not required to sweep, fork, shovel, or otherwise clean up material that has become scattered or is not readily picked up and placed in the collection vehicle, including spillage resulting from overloaded containers.

(6) The franchisee shall provide side/backdoor collection of solid waste and recyclable materials in accordance with the franchise agreement to customers who are not physically able to place the items at the curb.

~~Sec. 82-43. Same Release; effect of issuance of certificate.~~

~~Liens created under section 82-42 shall, upon the request of the user or the owner of the property affected and upon payment of all delinquent fees, including lawful interest thereon, and all penalties imposed, be released by a certificate signed by the city manager or the city finance director and bearing the seal of the city. The issuance of such certificate shall constitute prima facie evidence of existence or nonexistence of~~

~~any such delinquent fees, and shall, in the absence of fraud perpetrated by the party requesting the certificate, be binding upon the city as to the existence or nonexistence of any lien created under this article.~~

Sec. 82-43 – Preparation, storage, and placement of waste by multi-family customers.

(a) Containers and collection service shall be conducted in the same manner and according to the same conditions as commercial collection service requirements in section 82-45.

(b) The franchisee shall encourage and provide containers for recyclable materials, upon request, and collection service for those containers at least once per week. If recycling containers are made available to multi-family units, solid waste and recyclable materials shall each be placed and maintained in separate containers.

Sec. 82-44 – Residential and multi-family bulk waste.

(a) An unlimited amount of bulk waste shall be collected from residential and multi-family units twice per year as designated by the city (typically May and November).

(b) Residential bulk waste shall be placed neatly at the curb at least four feet from city-issued solid waste and recyclable materials roll carts, yard waste containers, bags, bundles, stacks, and any other object including, but not limited to, trees, mailboxes, parked cars, fire hydrants, fences, poles, or under low hanging trees or overhead wires.

(c) Multi-family bulk waste must be placed in one location as determined by the property manager or the city manager or his designee and meet the same setout criteria residential bulk waste.

(d) All containers containing bulk waste shall be taken by the collector. No container should be used that the customer wishes to retain.

(e) White goods and metal items shall be placed separately to facilitate alternate collection procedures. Doors shall be removed from appliances and gas drained from any gas-powered equipment.

(f) Household hazardous waste (HHW) such as paints, gas, oil, insecticides, pesticides, and other chemicals, and e-waste such as discarded electronic devices and components shall not be collected with bulk waste. Household hazardous waste and e-

waste may be delivered by the customer to the city's designated disposal facility or the city's HHW and e-waste collection event.

Sec. 82-45 – Commercial collection service.

(a) Recyclable materials. The franchisee shall encourage and provide containers for recyclable materials, upon request, and collection service for those containers at least once per week.

(b) Terms of commercial collection service shall be established by a written agreement between commercial customers and the franchisee, with the exception of commercial establishments, multi-family units, or residential units located within the Center Street Service Area.

(c) Commercial customers may obtain containers from the franchisee or a source other than the franchisee, provided that the container meets industry standards, is of a type that can be serviced by the franchisee's equipment, and such source or customer is completely responsible for the proper maintenance of the container. Customer-provided commercial containers must be equipped with Ultra High Frequency (UHF) radio frequency identification (RFID) tags, unless written approval is obtained by the city manager or his designee.

(d) All containers shall be maintained in accordance with general industry standards as appropriate for the type of container. Standards include, but are not limited to, having solid substantial bottoms with at least one drain hole for purposes of cleanout, drain plugs installed to retain storm water and leaching, lids in proper and safe working condition, no rust holes, sharp or jagged edges, broken hinges, or broken door fasteners, and uniformly painted container with franchisee name and phone number clearly marked. Containers shall be maintained so that they are clean and free from offensive odors.

(e) All containers used for accumulating recyclable materials shall be clearly marked "For Recyclable Material Only," or similar language and identify the name of the recovered material dealer.

(f) All containers shall have properly fitting lids or side doors(s) in place that close tightly and prevent littering, odors, and vermin and allow for opening and closing action during the emptying cycle. The lid or door(s) shall be kept closed at all times except when the container is being filled. Solid waste shall be placed in bags and sealed to prevent litter, odors, and vermin. Containers are not to be filled to a height exceeding the level of the highest portion of the container body or rim. Customers utilizing franchisee

containers responsible for notifying the city if a lid damaged or inoperable. Open top roll-offs must meet the same criteria, except that lids or bags are not required.

(g) Containers shall be kept in a place that is easily accessible to franchisee and city employees, and that does not obstruct any public right-of-way. At no time will any collection containers or materials be placed on the travel portions of any walk, street, or alley within the city without prior authorization from the city manager or designee.

(h) Container storage areas and areas adjacent to the storage area shall be maintained by the customer in a neat, sanitary, and aesthetically pleasing manner. Customers are responsible for maintaining the accessibility to containers including container storage areas. If pickups are missed due to customer's failure to maintain accessibility, and unsanitary or unsightly conditions result, the customer shall be in violation of this article.

(i) Customers are responsible to keep areas surrounding containers in a sanitary condition including free from accumulating grease, decomposing materials, and litter. Loose materials must be deposited in appropriate containers for collection. Customers are responsible for cleanup from bags torn or containers spilled by animals, or otherwise spilled through no fault of the franchisee. Franchisee is not responsible for cleaning up materials that has become scattered or is not readily picked up and placed in the collection vehicle, including spillage resulting from overloaded containers.

(j) Any damage to containers, other than normal wear and tear, is the responsibility of the customer and may be charged accordingly for repair or replacement of the receptacle. However, containers damaged by the franchisee shall be repaired or replaced by the franchisee.

Sec. 82-46 – Center street service area.

(a) Any commercial establishment, multi-family unit, or residential unit located within the Center Street Service Area, as defined in section 82-1, shall dispose of solid waste in the solid waste containers located on Center Street.

(b) All shared containers for solid waste or recyclable materials in the Center Street Service Area shall be kept in locations specified by the city manager or his designee.

(c) It shall be unlawful for any person to dispose of solid waste or recyclables in any of the shared container in the Center Street Service Area unless the materials are generated from a commercial establishment, multi-family unit, or residential unit residing within the Center Street Service Area.

(d) Containers and collection service shall be conducted in the same manner and according to the same conditions as commercial collection service requirements in section 82-45.

Sec. 82-47 – Special collection service.

(a) Special collection of any waste which, by reason of its bulk, shape, or weight, cannot be placed in a container or bundled, which exceeds the size and weight limitations of any section of this article, or which is requested by residential or multi-family units in addition to the two annual bulk waste collections shall be collected upon customer request and acceptance of the fee to be billed for special collection service.

(b) Special collection will be scheduled at the earliest reasonable time by the franchisee. Items shall not be placed curbside for collection prior to receiving a collection date from the city. Items shall not be place curbside more than 48 hours prior to the scheduled collection date.

(c) Items shall be placed at least four feet from city-issued solid waste and recyclable materials roll carts, yard waste containers, bags, bundles, stacks, and any other object including, but not limited to, trees, mailboxes, parked cars, fire hydrants, fences, poles, or under low hanging trees or overhead wires.

(d) White goods and metal items shall be placed separately to facilitate alternate collection procedures. Doors shall be removed from appliances and gas drained from any gas-powered equipment such as lawn mowers.

(e) Special collection materials shall not be placed curbside after a named storm, storm watch, or warning has been issued by the National Weather Service until the storm watch or warning has been lifted.

Sec. 82-48. - Schedule of collection fees.

Fees prescribed in this article are payable to the city monthly. Fees due and payable for the collection, hauling, processing, and disposal of solid waste, yard waste, recyclable materials, and other waste materials, and for the availability of service shall be as established by the city.

Sec. 82-49. - Nonpayment of fees and penalties; suspension of utility service; cumulative remedies; liens for nonpayment and release of liens.



(a) Notwithstanding other provisions providing for enforcement of violations of this chapter, nonpayment of fees and penalties imposed by this chapter for a period of 25 days after the billing date shall be considered delinquent and shall constitute grounds for the suspension of any or all utility services, including, but not limited to, water, sewer, electric, solid waste, and recycling, until payment is made. The procedure set forth in section 102-134 shall be followed prior to suspension of any utility services.

(b) The penalties and remedies contained in this section shall be cumulative and shall be in addition to any and all other penalties and remedies contained in this Code for the violation thereof.

(c) All fees and penalties for nonpayment, together with lawful interest thereon, provided for in this article shall be a lien upon the property for which the service is provided. If the fees shall remain unpaid 60 days after the fees are due and payable, an administrative fee shall be imposed, and the lien, including the administrative fee, may be recorded in the records of the county. The city shall have the power and authority to enforce the liens by foreclosure in accordance with law.

(d) Liens created under this section shall, upon the request of the user or the owner of the property affected and upon payment of all delinquent fees, including lawful interest thereon, and all penalties imposed, be released by a certificate signed by the city manager or the city finance director and bearing the seal of the city. The issuance of such certificate shall constitute prima facie evidence of existence or nonexistence of any such delinquent fees, and shall, in the absence of fraud perpetrated by the party requesting the certificate, be binding upon the city as to the existence or nonexistence of any lien created under this article.

Sec. 82-50. - Removal of special waste.

The removal, transport and disposal of industrial processing wastes and building and clearing wastes must be accomplished by the owner, occupant, operator or contractor performing such work, as the case may be. Spent oils or grease accumulating at garages, filling stations or similar establishments shall be removed by the owner, occupant or operator.

**Section 3. Amendment to City Code, Chapter 58.** Chapter 58 (Land Development Code), Article V (Environmental Protection Regulations) of the City Code of Ordinances is hereby amended to add a new Division 11 and Section 58-367, as follows (words that are underlined are additions):

DIVISION 11. – MISCELLANEOUS ENVIRONMENTAL PROTECTION  
REGULATIONS

Sec. 58-367. – Recycling

This section incorporates the provisions of F.S. § 403.706(2)(c) into the City’s Code of Ordinances. In accordance with F.S. § 403.706(2)(c), “newly developed property receiving a certificate of occupancy, or its equivalent, on or after July 1, 2012, that is used for multifamily residential or commercial purposes, must provide adequate space and an adequate receptacle for recycling by tenants and owners of the property. This provision is limited to counties and municipalities that have an established residential, including multifamily, or commercial recycling program that provides recycling receptacles to residences and businesses and regular pickup services for those receptacles.”

**Section 4. Codification.** This Ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

**Section 5. Severability.** If any section, subsection, sentence, clause, phrase, word or provision 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 portions of this ordinance.

**Section 6. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

**Section 7. Effective date.** This ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, held at City Hall, Winter Park, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor Steve Leary

ATTEST:

\_\_\_\_\_  
Cynthia S. Bonham, City Clerk



# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016
prepared by	Cindy Bonham	approved by	<input checked="" type="checkbox"/> City Manager
department	City Clerk		<input checked="" 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
vision themes	<input type="checkbox"/> Cherish and sustain city's extraordinary quality of life.		
	<input type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.		
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.		
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.		

## subject

Charter amendment (requiring a referendum election) eliminating primary elections and providing for run-off elections **SECOND READING OF ORDINANCE**

## motion | recommendation

Motion to approve the ordinance on first reading.

## background

On September 26, 2016 the Commission voted not to change the qualifying dates for City elections but agreed with the possibility of providing for a run-off election instead of a primary. To change the Charter requires a referendum election. This would be part of the March 2017 ballot. If the referendum passes, it would be effective starting with the 2018 election.

This ordinance would eliminate the possibility of future primary elections if more than two candidates qualify for the same seat. Winter Park is the only city in Orange County with the possibility of a primary election. Eliminating the primary election would also reduce the number of financial reports to be filed with the City Clerk.

A run-off would only be necessary with the top two candidates if there are more than two qualified candidates running in the same seat in the general election and no one receives the majority vote. If there are only two candidates, there would be no run-off because the candidate with the most votes wins.

The Orange County Supervisor Elections has also reviewed the ordinance and is in full support of this change.

**alternatives | other considerations**

Do not adopt the ordinance and leave primary elections in the Charter.

**fiscal impact**

N/A

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, PROPOSING AN AMENDMENT TO THE CITY CHARTER ELIMINATING PRIMARY ELECTIONS FOR CANDIDATES FOR CITY COMMISSION AND MAYOR AND PROVIDING FOR RUN-OFF ELECTIONS; SUBMITTING PROPOSED CHARTER AMENDMENT TO A VOTE BY THE ELECTORS OF WINTER PARK VIA REFERENDUM AT THE GENERAL CITY ELECTION TO BE HELD MARCH 14, 2017; PROVIDING FOR AMENDMENT TO DEFINITIONS AND OTHER PROVISIONS OF CHAPTER 42 OF THE CITY CODE REGARDING CITY ELECTIONS IF THE CHARTER AMENDMENT IS ADOPTED; PROVIDING FOR THE REFERENDUM BALLOT QUESTION FOR THE PROPOSED CHARTER AMENDMENT; PROVIDING FOR DIRECTION TO THE CITY CLERK; PROVIDING FOR MODIFICATION BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND EFFECTIVE DATES OF THE ORDINANCE, CHARTER AMENDMENT, AND CITY CODE AMENDMENTS.

**WHEREAS,** Section 3.04 of the City Charter provides for and requires a primary election for the selection of candidates for the offices of City Commissioner and Mayor, to be held on the second Tuesday in February, prior to the City's general election; and

**WHEREAS,** the City Commission finds that it is in the best interests of the residents of Winter Park that Section 3.04 of the City Charter be amended to eliminate primary elections for candidates for City Commissioner and Mayor and instead provide for a run-off election to be held after the City's general election, on the second Tuesday in April, if no candidate for a particular seat receives a majority of the vote in the general election; and

**WHEREAS,** in accordance with Section 1.03(a) of the City Charter and Section 166.031, Florida Statutes, the City Commission may propose an amendment to the City Charter via ordinance and submit such amendment for referendum vote by the electors of the City of Winter Park; and

**WHEREAS,** in order to ensure consistency between the City Charter and City Code, this Ordinance also provides for amendment of certain provisions of Chapter 42 of the City Code, which governs City elections, to take effect when and if the proposed Charter Amendment is adopted.

**NOW, THEREFORE,** be it enacted by the City Commission of the City of Winter Park, Florida, as follows:

**Section 1. Findings of Fact.** The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

**Section 2. Amendment to City Charter.** The City Commission of the City of Winter Park hereby proposes and approves an amendment to Article III, Section 3.04 of the City Charter (the "Charter Amendment"), as set forth below (words that are ~~stricken out~~ are deletions; words that are underlined are additions).

Sec. 3.04. - Elections~~;~~ primaries.

(a) ~~Primaries~~General city election. If more than ~~one~~two persons ~~qualifies~~as candidates for the office of city commissioner for any designated seat of the city commission to be filled or for the office of mayor, there shall be a ~~primary~~general election which shall be held on the second Tuesday in March~~February~~. If any candidate in the ~~primary~~general election receives a majority of the votes cast for a designated seat, such candidate shall be declared elected and shall assume office in accordance with Section 2.04 of this Charter. ~~without the necessity of being voted upon in the general city election and shall assume office at the same time and in the same manner as those elected in a general city election.~~ If no candidate receives a majority of votes cast for a designated seat, the two (2) persons receiving the highest number of votes cast shall be declared candidates for a run-off election to be held in accordance with subparagraph (c) of this Section, and the person then holding such seat shall continue to serve on a temporary basis until the seat is filled via the run-off election.~~each of such designated seats and shall be voted upon at the general city election.~~

(b) *Unopposed candidates.* In the event not more than one person qualifies as a candidate for a designated city commissioner seat or for mayor, such candidate shall be declared elected without the necessity of being voted upon in ~~either the primary election or the general city election~~ and shall assume office at the same time and in the same manner as those elected in the general city election.

(c) ~~General city~~*Run-off election.* If no candidate receives a majority of votes cast for a designated seat in the general city election, the two (2) persons receiving the highest number of votes cast for such seat shall be declared candidates in a run-off election to be held on the second Tuesday in MarchApril. The candidate who receives the majority of the votes cast in the run-off election shall be declared elected and shall assume office on the date of the first City Commission meeting following certification of the run-off election results. The term of office for such prevailing candidate shall run until the date on which such term would have expired if the prevailing candidate had been elected in the general election.~~Candidates for the office of city commissioner and for mayor shall be elected on the second Tuesday in March unless previously elected as above provided.~~

(d) *Poll workers.* At each polling place, there shall be a sufficient number of poll workers to handle the anticipated number of voters. The supervisor of elections may determine the necessary number of poll workers for any election. If the supervisor of elections fails to determine such number of poll workers, then the city clerk shall determine the appropriate number of poll workers. The supervisor of elections (or the city clerk, as applicable) shall report the number of poll workers together with the names of the poll workers to the city commission prior to the date of the election. The supervisor of elections shall appoint the poll workers when a city election is held in conjunction with a state election conducted by the supervisor of elections. The supervisor of elections may also elect to appoint the poll workers for any other City election. If the supervisor of elections has not elected to appoint the poll workers for any city election that is not held in conjunction with a state election, then the city commission shall appoint the poll workers for such city election. At a city election not held in conjunction with a state election, a deputy sheriff need not be appointed for each polling place.

(e) *Canvassing board.* For any city election, the city commission shall appoint three (3) of its members to be the canvassing board. No commissioner or mayor shall participate in the canvassing of the returns of an election for which said commissioner or mayor is a candidate or subject to recall. For any disqualified city commissioner or mayor, the city clerk shall act as the alternate canvassing board member.



**Section 3. Referendum.** The City Commission, pursuant to Section 166.031, Florida Statutes and Section 1.03(a) of the Winter Park City Charter, hereby calls a referendum election, to be held concurrently with the City's general election on March 14, 2017 (the "Referendum"), whereby the electors of the City of Winter Park shall vote on the Charter Amendment. The Charter Amendment shall be adopted if it receives a majority of the votes cast in the Referendum as to the Charter Amendment.

**Section 4. Ballot Question.** The ballot title and summary to be placed on the ballot and voted upon in the Referendum shall be in substantially the following form:

Proposed City Charter Amendment  
Article III, Section 3.04

Shall the City of Winter Park amend Article III, Section 3.04 of its Charter, as provided in Ordinance No. \_\_\_\_\_, to eliminate primary elections for selection of candidates for City Commissioner and Mayor and instead provide for a run-off election between the two candidates receiving the most votes for a seat if no candidate for such seat receives a majority of the vote in the general election?

Yes \_\_\_\_ or No \_\_\_\_

**Section 5. Amendment to City Code.** In the event that the proposed amendment to the City Charter is approved and adopted by the electors of the City of Winter Park at the Referendum, Sections 42-1, 42-8, and 42-10 of the City Code shall be amended as follows (words that are ~~stricken out~~ are deletions; words that are underlined are additions; ellipses (" . . . ") are used to separate the relevant Code Sections and are not part of the City Code).

Sec. 42-1. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Election* means any primary election, special election, special primary election, run-off election, or general city election.

*General city election* means an election held on the second Tuesday in March.

*Newspaper of general circulation* means a newspaper printed in English which is readily available for purchase by all residents of the city, but does not mean a newspaper intended primarily for members of a particular professional or occupational group or a newspaper, the primary function of which is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.

*Primary election* means an election held preceding the general city election to narrow the number of candidates for any office down to two.

*Qualification deadline* means no later than 12:00 noon of the ~~thirty-fifth~~ forty-ninth day prior to the date of the general election. ~~primary election or special primary election date in the year of such election.~~ If the ~~thirty-fifth~~ forty-ninth day prior to the date of the general election ~~primary election or special primary election date~~ is a legal holiday as defined by the city, or under the law of the State of Florida, then the qualification deadline shall mean no later than 12:00 noon of the first non-holiday business day immediately preceding the ~~thirty-fifth~~ forty-ninth day prior to the date of the ~~primary election or special primary election date in the year of such election.~~ The 12:00 noon qualification deadline shall be treated as a jurisdictional deadline, which means that all qualification documents and matters required in order to qualify for office shall be properly completed and filed with the city clerk by such deadline without exception. The jurisdictional nature of this deadline, and the requirements that all matters must be properly completed and filed with the city clerk before the qualification deadline, are incorporated by reference each time the term "Qualification Deadline" is used in this chapter. The qualification deadline for city elections other than the general election shall be the same as the above, relative to the date of such other election, unless otherwise determined by the City Commission via resolution or ordinance.

*Qualification documents* means all documents required by the Florida Election Code, Chapters 97 through 106, and this chapter.

*Qualification period* means that period that is between 12:00 noon of the business day that is five business days immediately preceding the qualification deadline and the qualification deadline. In each year of an election, the city clerk shall determine the qualification deadline

and will begin the qualification period such that candidates shall have five business days, beginning at 12:00 noon on the first business day of the qualification period, in which to qualify. The beginning and ending times and dates of the qualification period shall be treated as jurisdictional, which means that all qualification documents and matters required in order to qualify for office must be properly completed and filed with the city clerk by the qualification deadline, as that term is defined in this section. The jurisdictional nature of this deadline, and the requirements that all matters must be properly completed and filed with the city clerk before the qualification deadline, are incorporated by reference each time the term "qualification period" is used in this chapter.

*Run-off election* means an election held after the general election or other applicable election in the event that no candidate receives a majority vote, the candidates for which run-off election are the two candidates receiving the highest number of votes in the general election or other applicable election.

*Special election* means an election held other than at the time scheduled for a general city election for the purpose of filling a vacancy on the city commission.

*Special primary election* means an election two weeks prior to a special election to narrow the number of candidates for the vacant office down to two.

. . .

#### Sec. 42-8. – Names on ballots.

(a) The city clerk shall have ballots printed for use in all elections and shall place on the ballots ~~for general city elections or special elections~~ the names of the candidates qualifying for each designated office.

(b) When three or more candidates have qualified for a designated office, the city clerk shall place the names of each of them on the ballots for the applicable election~~primary or special primary elections~~.

(c) Candidates for each designated office shall be listed in alphabetical order. Names appearing on the ballots shall be as they appear on the candidates' applications.

. . .

Sec. 42-10. – Elections in the years of federal presidential preference primary elections.

(a) In those years in which there is a federal presidential preference primary election in the State of Florida on any ~~the last Tuesday in January or another~~ date as may be established by governing Florida law, the city's general city election provided for in Article III of the City Charter, in accordance with governing Florida law, shall be held concurrently with the federal presidential preference primary election. For those general elections subject to this section, the ~~primary election~~run-off election, if needed, shall be held on the second Tuesday in ~~December of the prior year~~the month following the month of such general election or on another date as determined by the City Commission by resolution or ordinance. The city clerk shall establish an appropriate qualifying period given these election dates and the other provisions of this Code.

(b) The Orange County Canvassing Board is hereby authorized to canvass the City of Winter Park ballots voted in the city general election set in accordance with this section.

(c) Terms of office are not affected by this section, and will begin and end as provided by the City Charter or other applicable law.

~~(d) The city clerk is hereby directed to provide a certified copy of this ordinance to the Orange County Supervisor of Elections within ten days from its date of adoption.~~

**Section 6. Instructions to City Clerk.** The City Clerk is hereby directed to insure that all advertising, translation and notice requirements are complied with and to coordinate all activities necessary to conduct the Referendum with the Supervisor of Elections for Orange County, and to place the above-described question on the Referendum ballot. If the Charter Amendment is adopted, and after it is incorporated into the City Charter, the City Clerk shall file the revised City Charter with the Department of State in accordance with Section 166.031(2), Florida Statutes.

**Section 7. Modification by City Commission.** The City Commission is authorized, to the extent consistent with the City Charter and applicable laws, to modify by resolution the ballot question provided for herein, and to modify or provide for by resolution any procedural or notice requirement for the conduct of the Referendum, all as the City Commission may deem advisable to ensure compliance with applicable laws and to ensure voters are fully informed as to the Referendum and the substance of the Charter Amendment.

**Section 8. Conflicts.** In the event of a conflict or conflicts between this Ordinance, including the Charter Amendment if adopted, and any other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under the law.

**Section 9. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance, including the Charter Amendment if adopted, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof or hereto unless such would defeat the purpose of this Ordinance or the Charter Amendment.

**Section 10. Codification.** In the event that the Charter Amendment is adopted by the electors of the City of Winter Park at the Referendum, the Charter Amendment shall be incorporated into the City Charter, and the amendments to the City Code described in Section 5 of this Ordinance shall be incorporated into the City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.

**Section 11. Effective Dates.** This Ordinance shall take effect immediately upon its final passage and adoption. The Charter Amendment shall take effect immediately upon adoption by the electors of the City of Winter Park at the Referendum, but shall have no effect on the City's 2017 general election nor the validity of any primary election held pursuant to the City Charter as it existed prior to adoption of the Charter Amendment. The amendments to the City Code described in Section 5 of this Ordinance shall take effect immediately upon adoption of the Charter Amendment and shall have no effect if the Charter Amendment is not adopted.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2016 by the  
City Commission of the City of Winter Park, Florida.

\_\_\_\_\_  
Mayor Steve Leary

Attest: \_\_\_\_\_  
City Clerk Cynthia Bonham

9 of 9  
Ordinance No.



# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning and Community		<input checked="" type="checkbox"/> City Attorney		
division	Development		<input type="checkbox"/> N/A		
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0	final vote	
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life. <input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character. <input checked="" type="checkbox"/> Enhance city's brand through flourishing arts and culture. <input checked="" type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

## Subject: Request of the Winter Park Towers for Conditional Use Approval for a Lifelong Learning Center Building.

The Winter Park Towers is requesting Conditional Use Approval to build a new Lifelong Learning Center building addition of 16,650 square feet at 1111 S. Lakemont Avenue.

### Planning and Zoning Board Recommendation:

**Motion made by Mr. Gottfried, seconded by Mr. Slocum to approve the Conditional Use request of the Winter Park Towers to build a new Lifelong Learning Center building addition of 16,650 square feet at 1111 South Lakemont Avenue. Motion carried unanimously with a 7-0 vote.**

**Summary:** The project proposal is to build a Lifelong Learning Center amenity for the residents of the Winter Park Towers. The proposed building addition is located between the main WP Towers building and the Parking Garage. The centerpiece of the project is an auditorium/stage to accommodate approximately 400 persons. The facility could host speakers, music productions, theatre performances and such for the entertainment and enlightenment of the residents of the Winter Park Towers. The floor plans also show a lobby and breakout area for social gatherings and an outdoor patio on the main level.

This portion of the WP Towers property is zoned R-4. The addition of this building floor area brings the total square footage of the R-4 portion of the WP Towers to a floor area ratio of 103%. R-4 maximum FAR is 200%. That total floor area of 103% includes the "garden apartment building" that is part of the WP Towers master plan to be built at a future time.

The setback from the ordinary high water elevation of Lake Berry is 175 feet to the closest point of this building addition which exceeds the setback required for the height of this building. The existing swimming pool is also in between this building and the lake. Elevations are included to show the image of this building addition both from the lake view as well as the front view. The facility will not generate the need for added parking. However, to the extent that family members come to join their parents for a performance, there is ample visitor parking in the parking garage. There are no exceptions or variances requested for this project.

**Planning and Zoning Board Summary:** The P&Z Board was supportive of this Project, especially as it supports the "vision" for the City of enhancing arts and culture. There are no impacts on adjacent properties or variances requested.

### **Planning and Zoning Board Minutes – Nov. 1, 2016:**

**REQUEST OF THE WESTMINSTER WINTER PARK TOWERS FOR:  
CONDITIONAL USE APPROVAL TO BUILD A NEW LIFELONG LEARNING  
CENTER BUILDING ADDITION OF 16,650 SQUARE FEET AT 1111 SOUTH  
LAKEMONT AVENUE, ZONED R-4, AND PROVIDING FOR AMENDMENT OF  
THE EXISTING DEVELOPMENT AGREEMENT.**

Planning Manager Briggs announced that the request to amend the existing Development Agreement which would allow expansion into the Waterbridge subdivision has been withdrawn by the applicant.

Mr. Briggs explained that the applicant, The Westminster Winter Park Towers is requesting the following:

1. Conditional Use Approval to build a new Lifelong Learning Center building addition of 16,650 square feet at 1111 S. Lakemont Avenue; and
- ~~2. To amend their Development Agreement to provide for this expansion. and also to permit the acquisition of other residential homes by the WP Towers within the Waterbridge subdivision.~~

He first explained that the portion of the originally advertised request (with strike-thru above) was withdrawn by the applicant and would not be part of the public hearing request. As a result only the Lifelong Learning center building addition would be discussed and Mr. Briggs provided a description of the proposed project. He stated that the amenity will be for the residents of the Winter Park Towers and will be located between the main WP Towers building and the Parking Garage. The centerpiece of the project is an auditorium/stage to accommodate approximately 400 persons. He reviewed the zoning, Future Land Use, FAR and setbacks from Lake Berry. Parking for the project will be available in the visitor parking garage. The applicants are not requesting any variances or exceptions. Staff recommended approval of the Preliminary and Final Conditional Use for the Lifelong Learning Center facility and to amend the Development Agreement to provide for the addition of this facility.

Attorney Rebecca Wilson, 215 North Eola Drive, used a Power Point presentation to give details of the request. The new building will fit between the existing Towers building and the new development. There will be no visual obstructions because in order to see the building you would have to be on the campus. The new building is for residents only, and there will be no



retail ticket sales to the general public. Parking will be available in the large parking garage. She noted that no variances are being requested; therefore, the applicant requested final approval at tonight's meeting.

Cissy Bergman, Residence Counsel President and Cultural Endowment Chair for the Winter Park Towers, spoke in support of the request.

The following people spoke in opposition to the request: Dan Morris, 1747 Demetree Drive; Rena Williams, 1760 Via Genoa; Gopal Basisht, 1751 Lake Berry Drive; Jay Plotkin, 1733 Lake Berry Drive; and Anne Domescek, 1208 Germaine Drive. The resident's expressed concern with language in the 2011 development agreement that prohibited construction of additional structures and also the requirement to construct a privacy wall bordering Waterbridge that has not been fulfilled and added traffic.

Mr. Briggs responded that the wall issue has to do with privacy for lighting and sound. Staff was made aware of the wall situation and that has been turned over to the City's Code Compliance Section to pursue further. He also explained that the applicant made a request to amend the Development Agreement in order to allow the development of the lifelong learning center building.

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

Attorney Wilson responded that the official violation notice has been received. She assured that the issue will be addressed before the November 14<sup>th</sup> compliance date.

The Board members expressed support of the addition for the development. Mr. Hahn noted that the "Vision" for the City included enhancements to City as a home for arts and culture and this would provide opportunities for the residents of the WP Towers for such learning and cultural programs that does not currently exist. Mr. Sacha noted that the parking garage has ample parking for visitors if family members decided to join their parents for a performance. Mr. J. Johnston also noted that the added traffic if a family member came to a performance would be minimal.

**Motion made by Mr. Gottfried, seconded by Mr. Slocum to approve the conditional use request of the Winter Park Towers to build a new lifelong learning center building addition of 16,650 square feet at 1111 South Lakemont Avenue, and amend the Development Agreement to provide for the addition of this facility. Motion carried unanimously with a 7-0 vote.**

Prepared by:  
Asst. City Attorney  
City of Winter Park  
P.O. Box 2873  
Orlando, FL 32802-2873

Return to:  
City Clerk  
City of Winter Park  
401 Park Avenue South  
Winter Park, FL 32789

**FIRST AMENDMENT TO WINTER PARK TOWERS  
DEVELOPMENT AGREEMENT**

THIS FIRST AMENDMENT TO WINTER PARK TOWERS DEVELOPMENT AGREEMENT (this "First Amendment") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by **Presbyterian Retirement Communities, Inc.**, a Florida non-profit corporation, d/b/a Westminster Towers f/k/a Winter Park Towers (hereinafter referred to as "Owner"), having an address of 80 West Lucerne Circle, Orlando, Florida 32801, and the **City of Winter Park**, a Florida municipal corporation (hereinafter referred to as "City"), having an address at 401 Park Avenue South, Winter Park, Florida 32789.

**WHEREAS**, Owner and the City entered into that Certain Winter Park Towers Development Agreement dated December 27<sup>th</sup>, 2010 and recorded January 28, 2011 in Official Records Book 10166, Page 1670 of the Public Records of Orange County, Florida (the "Agreement"), wherein the parties set forth certain conditions and restrictions with respect to the Project and CUP (as both terms are defined in the Agreement);

**WHEREAS**, the owner is proposing a new Lifelong Learning Center ("LLC") to be built adjacent to the existing assisted living tower;

**WHEREAS**, the purpose of the LLC is to provide enrichment activities for the seniors residing at Westminster Towers; and

**WHEREAS**, the parties desire to enter into this First Amendment to amend the terms of the Agreement as more fully set forth herein.

**NOW THEREFORE**, in consideration of Ten Dollars and no/100 (\$10.00), each in hand paid to the other and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

1. Recitals. The foregoing Recitals are true and correct and are hereby incorporated herein. Any capitalized terms not defined herein shall have those meanings ascribed in the Agreement.

2. Conditional Use Permit. Section 2 of the Agreement shall include the following sentence: "The CUP also includes approval of the Lifelong Learning Center as depicted on Exhibit "C" ("Lifelong Learning Center Master Plan")."

3. Successors and Assigns. This First Amendment and the terms and conditions thereof shall be binding upon and inure to the benefit of CITY and OWNER and their respective successors in interest. The terms and conditions of this First Amendment similarly shall be binding upon the Property and shall run with the title to the same.

4. Counterparts. This First Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original but all of which shall constitute one and the same agreement.

5. Conflict. If there is a conflict between the terms of the Agreement and this First Amendment, the terms of this First Amendment shall control.

6. Ratification. Except as herein expressly amended, each and every other term of the Agreement shall remain unchanged and in full force and effect without modification, and Owner and City hereby ratify and affirm the same.

**[SIGNATURES TO FOLLOW]**

[Attached to First Amendment to Winter Park Towers Development Agreement]

**IN WITNESS WHEREOF**, the parties have caused this First Amendment to be executed as follows:

WITNESSES:

PRESBYTERIAN RETIREMENT  
COMMUNITIES, INC., a Florida non-profit  
corporation d/b/a WINTER PARK TOWERS

\_\_\_\_\_  
\_\_\_\_\_  
(print)

By: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(print)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_ the \_\_\_\_\_ of PRESBYTERIAN RETIREMENT COMMUNITIES, INC., a Florida non-profit corporation, d/b/a WINTER PARK TOWERS (check one) ☐ who is personally known to me or ☐ who produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public – State of Florida  
Print Name: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

[Attached to First Amendment to Winter Park Towers Development Agreement]

WITNESSES:

CITY OF WINTER PARK, a Florida  
municipal corporation

By: \_\_\_\_\_

Print name: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_

City Clerk

Date: \_\_\_\_\_

\_\_\_\_\_  
(print)

\_\_\_\_\_  
(print)

STATE OF FLORIDA  
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,  
2016, by \_\_\_\_\_ the \_\_\_\_\_ of the CITY OF WINTER  
PARK, a Florida municipal corporation, (check one) ☐ who is personally known to me or ☐ who  
produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public – State of Florida

Print Name: \_\_\_\_\_

My Commission expires: \_\_\_\_\_



1111 South Lakemont Avenue, Box 101, Winter Park, FL 32792 Phone: 407-647-4083 | Fax: 407-645-4409 | WestminsterRetirement.com

October 27, 2016

Dear Planning & Zoning Board Members:

The residents of Westminster Winter Park are fully behind the proposed Life Long Learning Center for the campus. The center will provide integral space for the programming of the community so that residents may benefit from the social capital of joining together. The Center will provide the opportunity to hold programs including cultural events, musical entertainment, lectures and the classes of the Rollins Center for Life Long Learning held on the Westminster campus.

In my experience leading the Westminster Winter Park Cultural Endowment Program over the last several years, I have seen the joy brought to our residents through our special events and witnessed their incredible generosity in support of culture through charitable giving. Our residents' quality of life is immensely improved and extended by having performing arts, visual arts, and other educational opportunities provided on-site, when their mobility or other issues of aging prevent their attending the cultural programs they have supported and enjoyed all their lives.

As Westminster Winter Park's mission is to provide excellent services to older adults, this Center will allow for the physical space to house a majority of residents so that Town Hall meetings can occur, Residents' Council Forums can take place and the additional Wellbeing programs may be more fully supported. Communities similar to Westminster Winter Park across the country have this type of Center, and we recognize fully the need here.

Additionally, the location of the center is ideal on the campus. With the connection to the main Towers building, those residents living in the eight stories may safely walk to programs without going out of doors. Residents living in the Loch Berry apartments and other homes on the campus will have ease of access. The new facility will allow additional gathering space that faces beautiful Lake Berry. This space has been much needed for small group and social events.

The resident body of Westminster Winter Park thanks you for this opportunity to show our support of this project.

Sincerely,

Cissy Bergman  
President, Residents' Council  
Westminster Winter Park



Bradenton / Cocoa / Daytona Beach / Ft. Lauderdale / Ft. Walton Beach / Jacksonville / Orlando / Pensacola / St. Petersburg / Tallahassee / Winter Park

October 5, 2016

Jeff Briggs, Manager  
Planning & Zoning Department  
City of Winter Park  
401 Park Avenue South  
Winter Park, Florida 32789-4386

Subject: Final Conditional Use  
**Westminster Winter Park Towers Expansion**  
**Lifelong Learning Center Addition**  
Winter Park, Florida  
FEG Project No. 16-075

Dear Jeff,

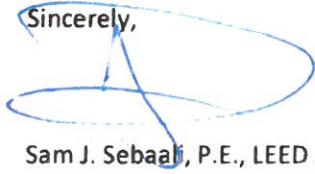
Please find attached an application for Final Conditional Use for the addition of a Lifelong Learning Center to the previous Final Conditional Use approval for the project, dated December 13, 2010. The prior approval authorized construction of 84,828 S.F. condominium buildings, 101,179 S.F. parking garage structure, and 28,314 S.F. future garden apartments in addition to the existing 280,583 S.F. main tower, for a total of 494,904 S.F. building area.

The proposed Lifelong Learning Center expansion will add an approximately 16,650 S.F. building to the previous approval for a new total of 511,554 S.F. of building area. This new total proposed building area is less than the 907,616 S.F. allowable floor area.

The new proposed Lifelong Learning Center building meets all the required building height and setbacks as shown on the Site Plan included with this request. Specifically, the proposed building height will be less than 42 Ft., which is less than the maximum allowable height of 55 Ft. The proposed building lake setback is approximately 165 Ft. and is significantly greater than the 110 Ft. required lake setback as measured from Elevation 70.0 Ft. All other proposed setbacks are also significantly greater than the minimum setbacks required by the code and are illustrated on the Site Plan. The Lifelong Learning Center will be used by the existing residents and their regular visitors; thus, the previously approved parking requirements for the project would not be affected.

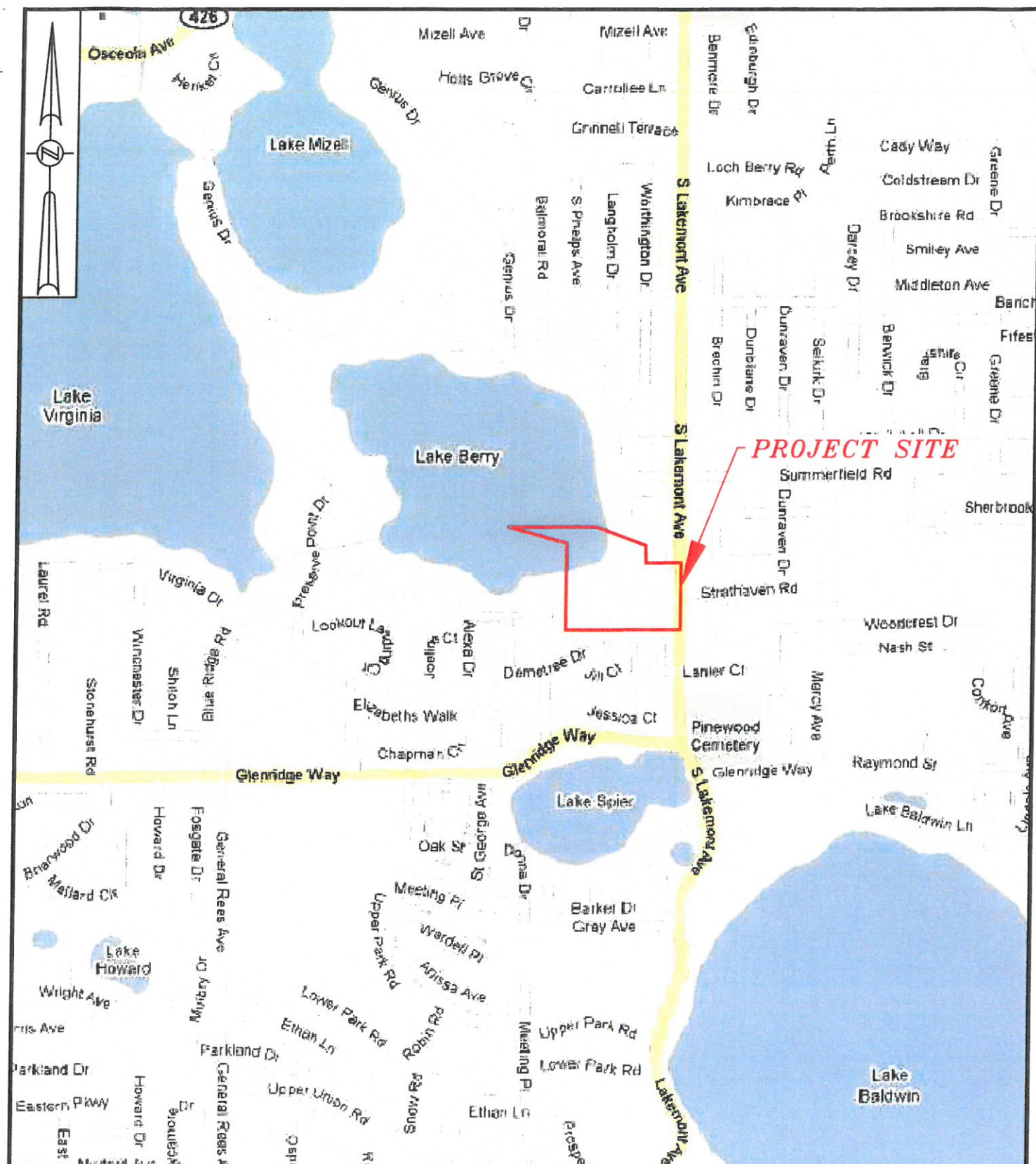
Please let me know if I can provide any additional clarification or if you have further questions. You can reach me at 407-895-0324 or by e-mail to [SSebaali@feg-inc.us](mailto:SSebaali@feg-inc.us).

Sincerely,



Sam J. Sebaali, P.E., LEED AP  
President





PROJECT NAME:  
**WESTMINSTER WINTER PARK TOWERS EXPANSION  
 LIFELONG LEARNING CENTER ADDITION**

CLIENT:  
**PRESBYTERIAN RETIREMENT COMMUNITIES, INC.**

S, T, R:  
**S 08, T 22, R 30**

DATE:  
**OCTOBER 5, 2016**

F.E.G. PROJECT NO.:  
**16-075**

SCALE:  
**1" = 1000'**

## SITE LOCATION MAP



**FLORIDA  
 ENGINEERING  
 GROUP**

Engineering the Future

5127 S. Orange Avenue, Suite 200  
 Orlando, FL 32809  
 Phone: 407-895-0324  
 Fax: 407-895-0325

[www.feg-inc.us](http://www.feg-inc.us)



# WESTMINSTER WINTER PARK TOWERS EXPANSION LIFELONG LEARNING CENTER ADDITION FINAL CONDITIONAL USE 1111 S. LAKEMONT AVENUE, WINTER PARK, FLORIDA

08-22-30-0000-00-003  
08-22-30-0000-00-012

**OWNER/ APPLICANT:** PRESBYTERIAN RETIREMENT COMMUNITIES, INC.  
80 WEST LUCERNE CIRCLE  
ORLANDO, FL 32801  
PHONE: (407)839-5050

**ARCHITECT:** STEWART & CONNERS ARCHITECTS, PLLC  
3731 LATROBE DRIVE, SUITE 100  
CHARLOTTE, NC 28211  
PHONE: (704) 365-3941  
FAX: (704) 365-3942

**LANDSCAPE ARCHITECT:** VERLANDER LANDSCAPE ARCHITECTURE, LLC  
706 TURNBULL AVENUE, SUITE 201  
ALTAMONTE SPRINGS, FL 32701  
PHONE: (407) 834-4104  
FAX: (407) 834-2919

**PARCEL "A" LEGAL DESCRIPTION**

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 393.03 FEET; THENCE WEST 559 FEET; THENCE NORTH 54 DEGREES 10 MINUTES WEST TO THE SHORE OF LAKE BERRY; THENCE SOUTHWESTERLY ALONG SHORE OF LAKE BERRY 250 FEET MORE OR LESS TO A POINT BEING 372.64 FEET NORTH AND 881.9 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 30 EAST; THENCE SOUTH 477.61 FEET; THENCE EAST 881.9 FEET; THENCE NORTH 104.97 FEET TO POINT OF BEGINNING (LESS EAST 30 FEET FOR ROAD). AND IN ADDITION THERETO, THE FOLLOWING DESCRIBED PROPERTY: BEGINNING AT THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 30 EAST, ORANGE COUNTY, FLORIDA, RUN NORTH 393.03 FEET; THENCE WEST 559 FEET; THENCE NORTH 54 DEGREES 10 MINUTES WEST TO SHORE OF LAKE BERRY AND THE POINT OF BEGINNING; THENCE CONTINUE NORTH 54 DEGREES 10 MINUTES WEST TO A POINT IN LAKE BERRY, WHICH SAID POINT IS NORTH OF A POINT 372.64 FEET NORTH AND 881.9 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 30 EAST; THENCE SOUTH TO SAID POINT WHICH IS 372.64 FEET NORTH AND 881.9 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 30 EAST; THENCE NORTHEASTERLY ALONG THE SHORE OF LAKE BERRY 250 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

**PARCEL "B" LEGAL DESCRIPTION**

BEGIN AT A POINT 393 FT. NORTH OF THE SOUTH EAST CORNER OF SECTION 8, TOWNSHIP 22 SOUTH, RANGE 30 EAST, RUN WEST 559 FT. NORTH 54° WEST TO THE SHORE LINE OF LAKE BERRY, NORTH WEST TO THE NORTH WEST CORNER OF THE SOUTH HALF OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4, EAST TO THE NORTH EAST CORNER OF THE SOUTH HALF OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4, SOUTH 267 FT. TO THE BEGINNING (LESS THE ROAD) AND THE SOUTH HALF OF THE NORTH HALF OF THE SOUTH EAST 1/4 OF THE SOUTH EAST 1/4.

**SITE VICINITY MAP**



NOT TO SCALE

**PLAN INDEX**

- C-1 COVER SHEET
- C-2 EXISTING CONDITION PLAN
- C-3 CONDITIONAL USE SITE PLAN
- C-4 PRELIMINARY SITE PAVING, GRADING and DRAINAGE PLAN
- C-5 PRELIMINARY SITE UTILITY PLAN
- TR-1 TREE PROTECTION/REMOVAL PLAN
- LA-1 LANDSCAPE PLAN
- LA-2 LANDSCAPE PLAN
- A-1 BASEMENT LEVEL FLOOR PLAN
- A-2 MAIN LEVEL FLOOR PLAN
- A-3 FRONT AND BACK ELEVATION
- A-4 FRONT PERSPECTIVE
- A-5 BACK PERSPECTIVE
- A-6 LAKEVIEW PERSPECTIVE

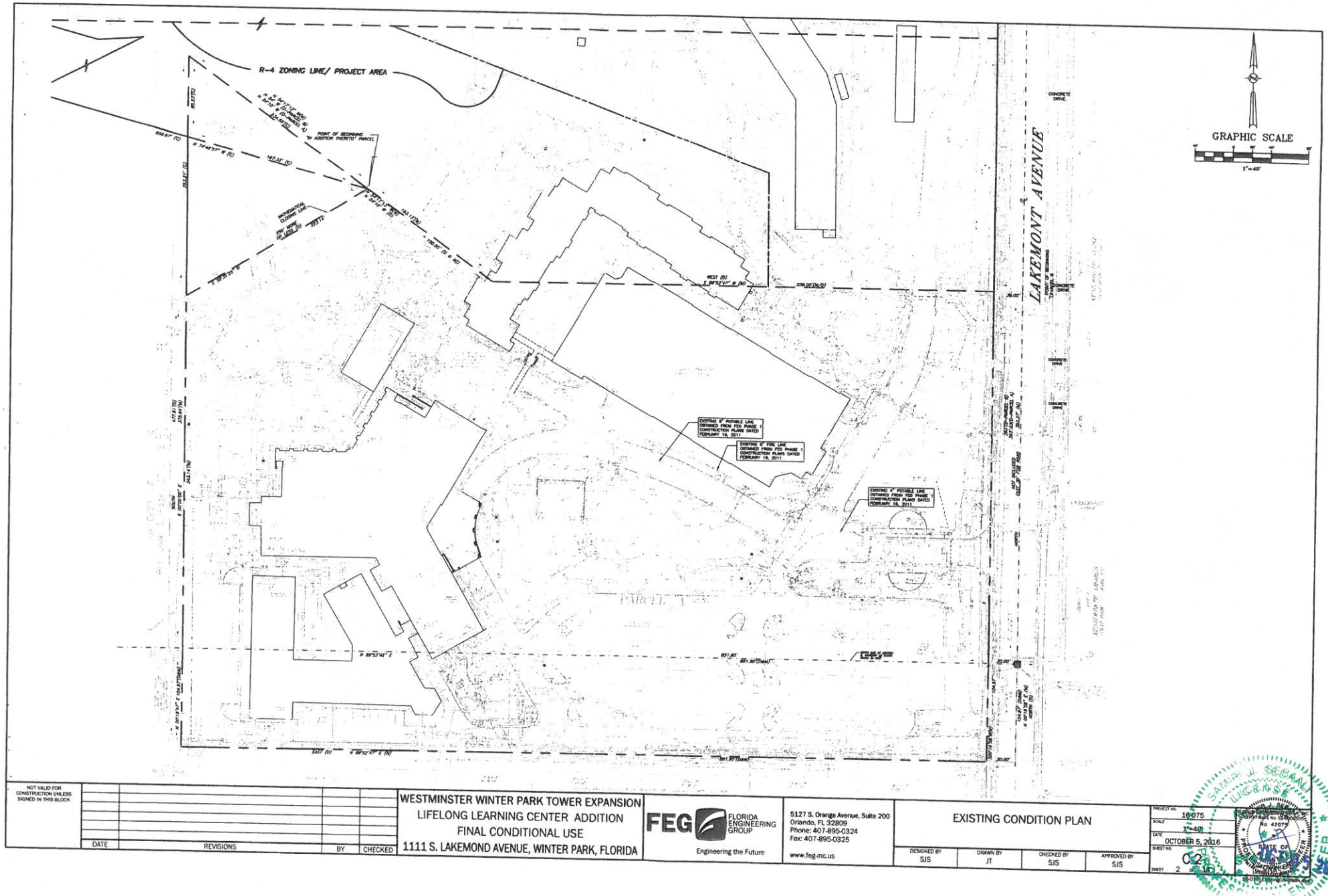


Engineering the Future

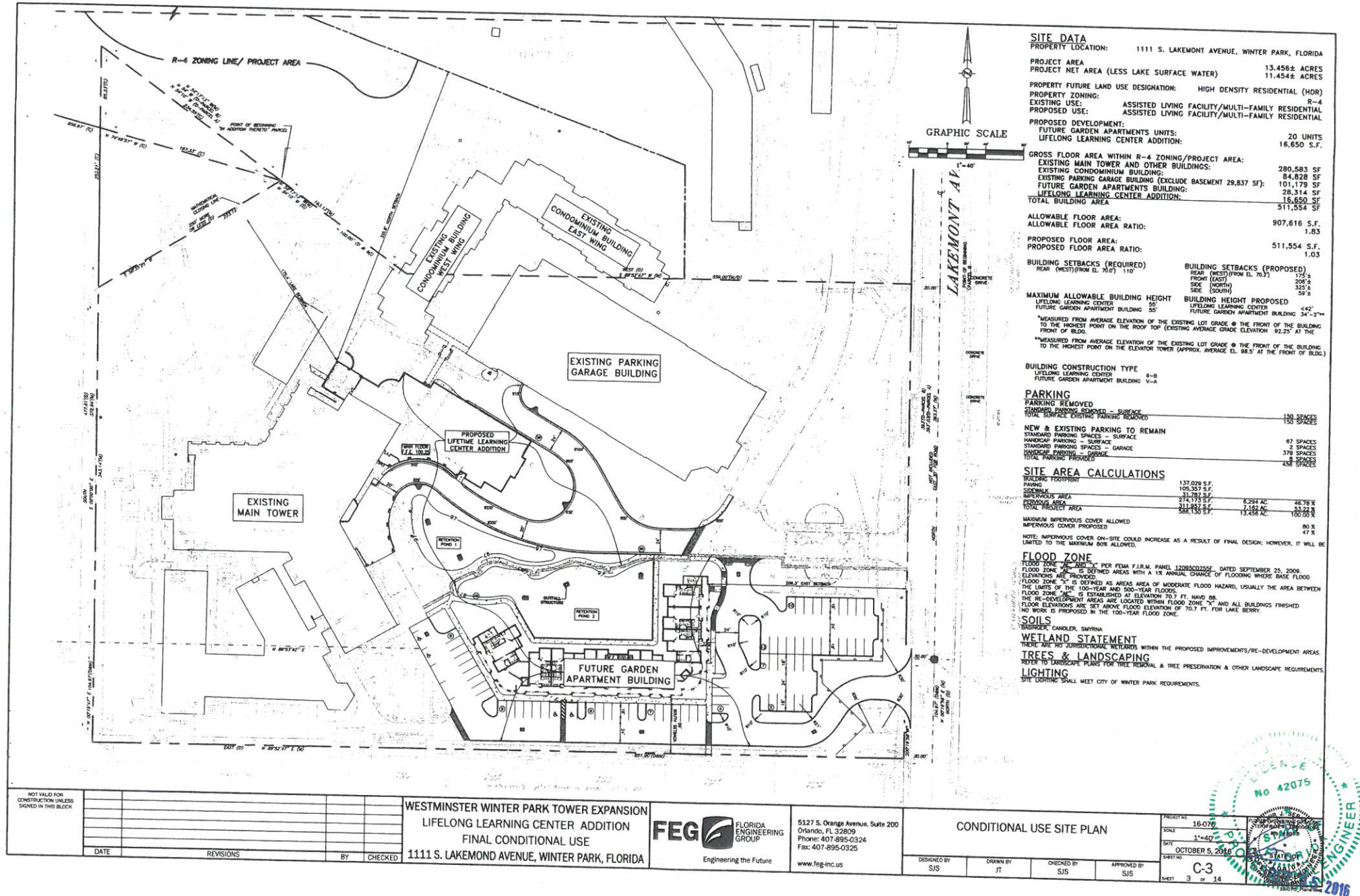
5127 S. Orange Avenue, Suite 200  
Orlando, FL 32809  
Phone: 407-895-0324  
Fax: 407-895-0325

www.feg-inc.us









**SITE DATA**  
 PROPERTY LOCATION: 1111 S. LAKEMONT AVENUE, WINTER PARK, FLORIDA  
 PROJECT AREA: 13.456± ACRES  
 PROJECT NET AREA (LESS LAKE SURFACE WATER): 11.454± ACRES  
 PROPERTY FUTURE LAND USE DESIGNATION: HIGH DENSITY RESIDENTIAL (HOR)  
 EXISTING ZONING: R-4  
 EXISTING USE: ASSISTED LIVING FACILITY/MULTI-FAMILY RESIDENTIAL  
 PROPOSED USE: ASSISTED LIVING FACILITY/MULTI-FAMILY RESIDENTIAL  
 PROPOSED DEVELOPMENT:  
 FUTURE GARDEN APARTMENTS UNITS: 20 UNITS  
 LIFELONG LEARNING CENTER ADDITION: 16,650 S.F.

**GROSS FLOOR AREA WITHIN R-4 ZONING/PROJECT AREA:**  
 EXISTING MAIN TOWER AND OTHER BUILDINGS: 280,583 SF  
 EXISTING CONDOMINIUM BUILDING: 84,828 SF  
 EXISTING PARKING GARAGE BUILDING (EXCLUDE BASEMENT 29,837 SF): 101,179 SF  
 FUTURE GARDEN APARTMENTS BUILDING: 28,314 SF  
 LIFELONG LEARNING CENTER ADDITION: 16,650 SF  
**TOTAL BUILDING AREA:** 511,554 SF

**ALLOWABLE FLOOR AREA:** 907,616 S.F.  
**ALLOWABLE FLOOR AREA RATIO:** 1.83  
**PROPOSED FLOOR AREA:** 511,554 S.F.  
**PROPOSED FLOOR AREA RATIO:** 1.03

**BUILDING SETBACKS (REQUIRED)**  
 REAR (WEST) FROM EL. 70.0' 110'  
 BUILDING SETBACKS (PROPOSED)  
 REAR (WEST) FROM EL. 70.0' 175'±  
 FRONT (EAST) 208'±  
 SIDE (NORTH) 322'±  
 SIDE (SOUTH) 59'±

**MAXIMUM ALLOWABLE BUILDING HEIGHT**  
 LIFELONG LEARNING CENTER: 55'  
 FUTURE GARDEN APARTMENT BUILDING: 35'  
 BUILDING HEIGHT PROPOSED  
 LIFELONG LEARNING CENTER: 42'  
 FUTURE GARDEN APARTMENT BUILDING: 34'-2"±

\*MEASURED FROM AVERAGE ELEVATION OF THE EXISTING LOT GRADE @ THE FRONT OF THE BUILDING TO THE HIGHEST POINT ON THE ROOF TOP (EXISTING AVERAGE GRADE ELEVATION: 92.25' AT THE FRONT OF BLDG.)  
 \*MEASURED FROM AVERAGE ELEVATION OF THE EXISTING LOT GRADE @ THE FRONT OF THE BUILDING TO THE HIGHEST POINT ON THE ELEVATOR TOWER (APPROX. AVERAGE EL. 98.5' AT THE FRONT OF BLDG.)

**BUILDING CONSTRUCTION TYPE**  
 LIFELONG LEARNING CENTER: B-2  
 FUTURE GARDEN APARTMENT BUILDING: V-A

**PARKING**  
**PARKING REMOVED**  
 STANDARD PARKING REMOVED - SURFACE: 150 SPACES  
 TOTAL SURFACE EXISTING PARKING REMOVED: 150 SPACES

**NEW & EXISTING PARKING TO REMAIN**  
 STANDARD PARKING SPACES - SURFACE: 67 SPACES  
 HANDICAP PARKING - SURFACE: 2 SPACES  
 STANDARD PARKING SPACES - GARAGE: 379 SPACES  
 HANDICAP PARKING - GARAGE: 8 SPACES  
**TOTAL PARKING PROVIDED:** 436 SPACES

**SITE AREA CALCULATIONS**  
 BUILDING FOOTPRINT: 137,029 S.F.  
 PAVING: 105,357 S.F.  
 SIDEWALK: 11,789 S.F.  
 IMPERVIOUS AREA: 274,175 S.F. 6.294 AC. 46.76 X  
 PERVIOUS AREA: 311,789 S.F. 7.142 AC. 48.24 X  
**TOTAL PROJECT AREA:** 585,964 S.F. 13.456 AC. 100.00 X

**MAXIMUM IMPERVIOUS COVER ALLOWED**  
 IMPERVIOUS COVER PROPOSED: 80 X  
 LIMITED TO THE MAXIMUM 80% ALLOWED: 47 X

**NOTE:** IMPERVIOUS COVER ON-SITE COULD INCREASE AS A RESULT OF FINAL DESIGN; HOWEVER, IT WILL BE LIMITED TO THE MAXIMUM 80% ALLOWED.

**FLOOD ZONE**  
 FLOOD ZONE "X" AND "Y" PER FEMA F.I.R.M. PANEL 12085C0155E DATED SEPTEMBER 25, 2009.  
 FLOOD ZONE "X" IS DEFINED AS AREAS WITH A 1% ANNUAL CHANCE OF FLOODING WHERE BASE FLOOD ELEVATIONS ARE PROVIDED.  
 FLOOD ZONE "Y" IS DEFINED AS AREAS AREA OF MODERATE FLOOD HAZARD, USUALLY THE AREA BETWEEN THE LIMITS OF THE 100-YEAR AND 500-YEAR FLOODS.  
 THE RE-DEVELOPMENT AREAS ARE LOCATED WITHIN FLOOD ZONE "X" AND ALL BUILDINGS FINISHED NO WORK IS PROPOSED IN THE 100-YEAR FLOOD ZONE.

**SOILS**  
 BARNARD, Candler, SMYRNA

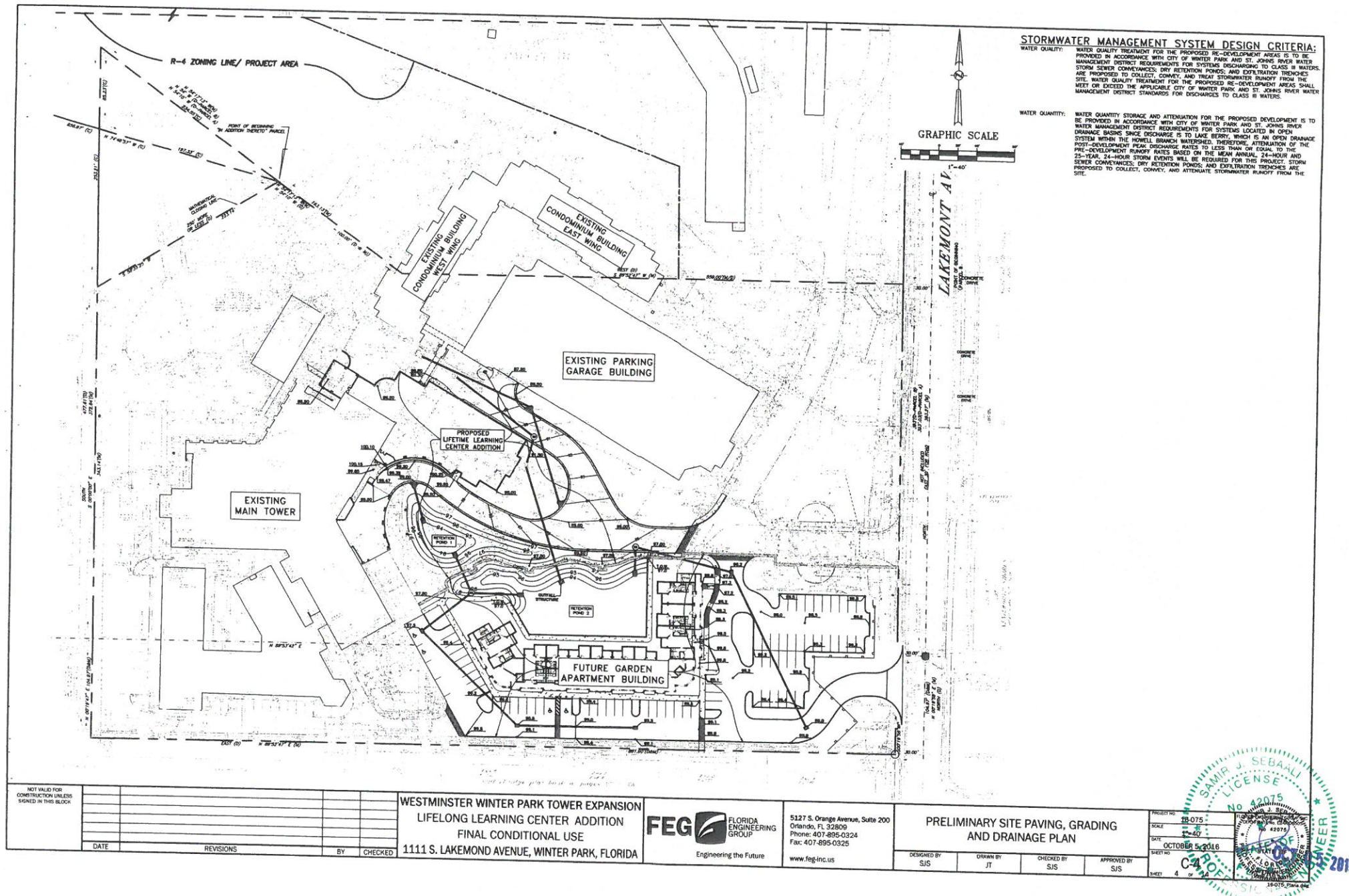
**WETLAND STATEMENT**  
 THERE ARE NO JURISDICTIONAL WETLANDS WITHIN THE PROPOSED IMPROVEMENTS/RE-DEVELOPMENT AREAS.

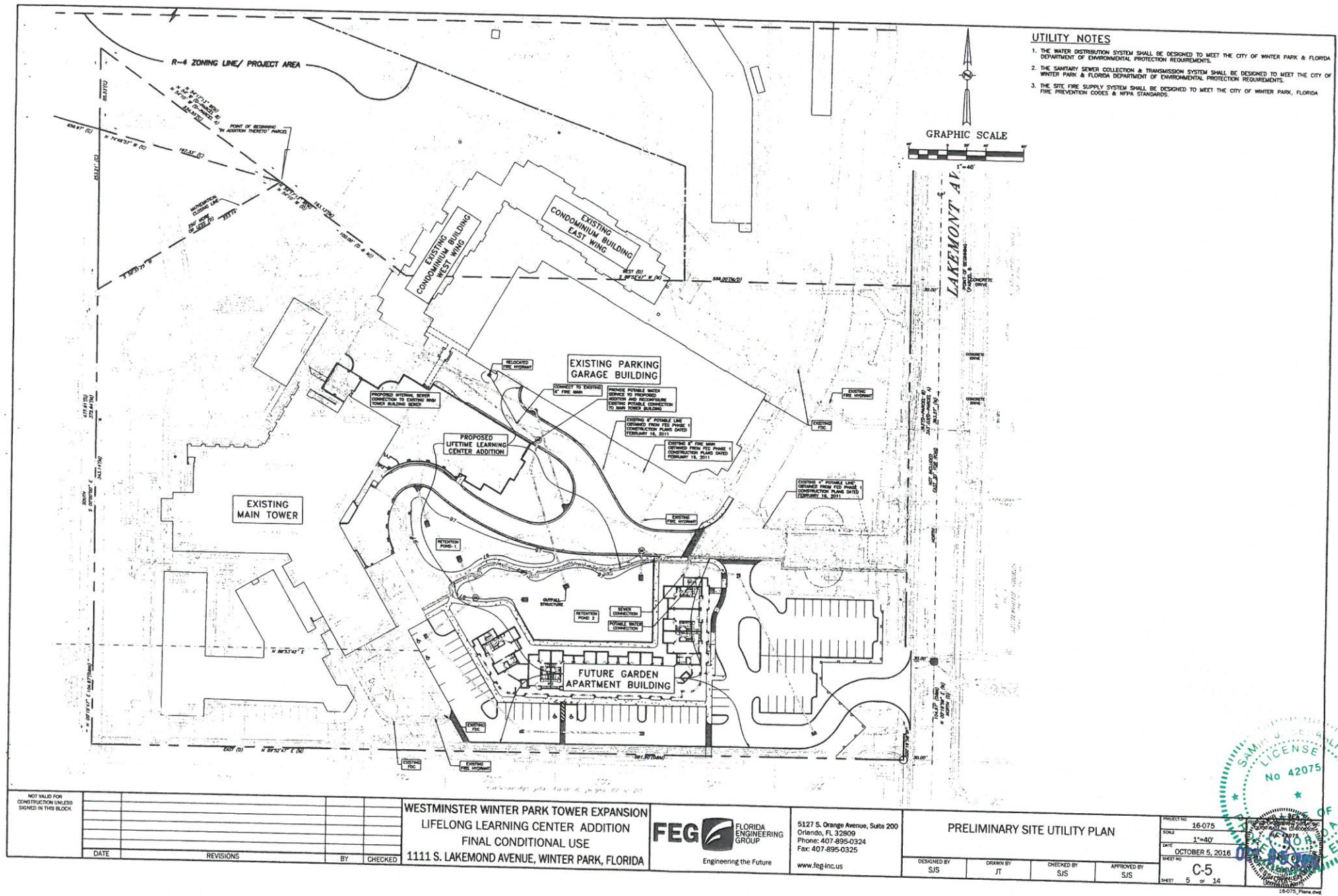
**TREES & LANDSCAPING**  
 REFER TO LANDSCAPE PLANS FOR TREE REMOVAL & TREE PRESERVATION & OTHER LANDSCAPE REQUIREMENTS.

**LIGHTING**  
 SITE LIGHTING SHALL MEET CITY OF WINTER PARK REQUIREMENTS.

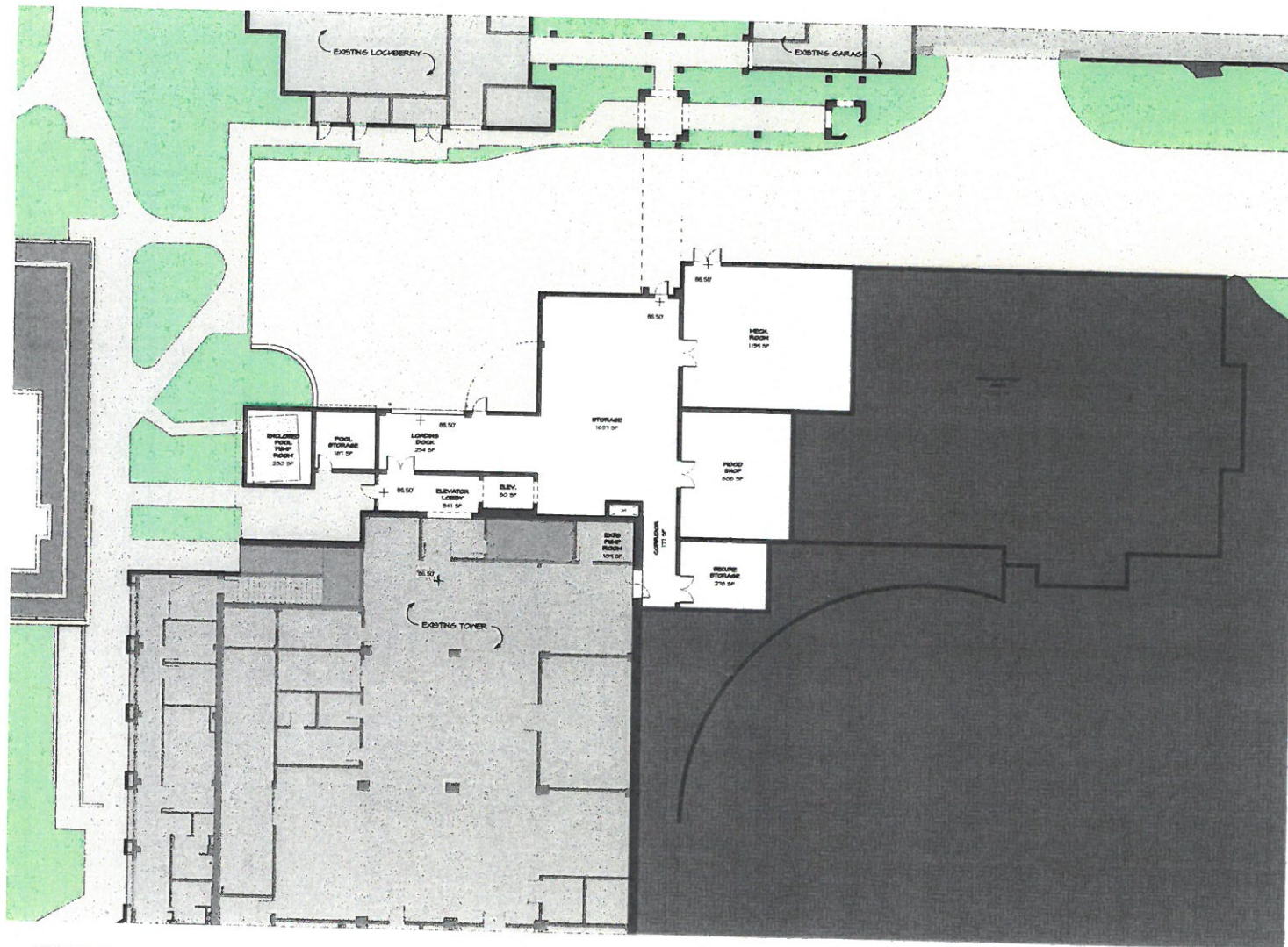
NOT VALID FOR CONSTRUCTION UNLESS SIGNED IN THIS BLOCK				<b>WESTMINSTER WINTER PARK TOWER EXPANSION</b> <b>LIFELONG LEARNING CENTER ADDITION</b> <b>FINAL CONDITIONAL USE</b> <b>1111 S. LAKEMONT AVENUE, WINTER PARK, FLORIDA</b>		<b>FEG</b> <small>FLORIDA ENGINEERING GROUP</small> Engineering the Future		5127 S. Orange Avenue, Suite 200 Orlando, FL 32809 Phone: 407-895-0324 Fax: 407-895-0325 www.feg-inc.us		<b>CONDITIONAL USE SITE PLAN</b>			
DATE	REVISIONS	BY	CHECKED	DESIGNED BY	DRAWN BY	CHECKED BY	APPROVED BY	PROJECT NO.	SCALE	DATE	SHEET NO.	MEET	
				SJS	JT	SJS	SJS	16-076	1"=40'	OCTOBER 5, 2016	C-3	3 of 14	











1 BASEMENT LEVEL FLOOR PLAN  
3/32" = 1'-0"

**SCA**  
STEWART & CONNERS  
ARCHITECTS, PLLC  
3731 Latrobe Drive, Suite 100  
Charlotte, NC 28211  
P: 704-365-3941  
F: 704-365-3942

Site:  
Westminster  
Winter Park  
Towers  
Expansion-  
Lifelong Learning  
Center

Location:  
Lakemont Ave., -  
Winter Park, FL

Scale:

© 2016 by  
Stewart & Connors Architects, PLLC  
No. project number: 10.05.16  
39-01-101  
drawn by: TK checked by: AG  
revisions:

key plan:

FINAL CONDITIONAL USE

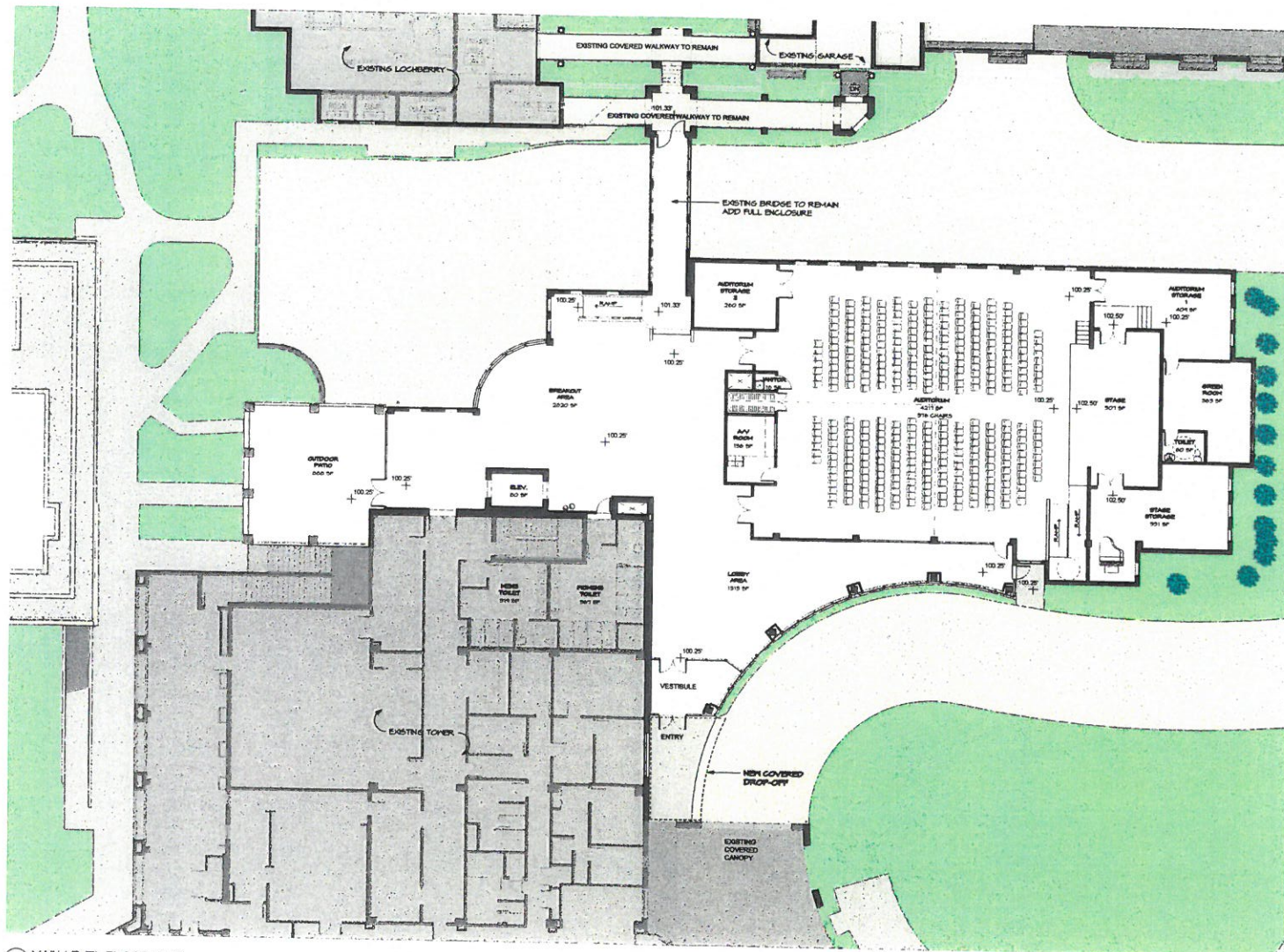
Sheet name:

BASEMENT  
LEVEL FLOOR  
PLAN

Sheet number:

A1





1 MAIN LEVEL FLOOR PLAN  
3/32" = 1'-0"

**SCA**  
STEWART & CONNERS  
ARCHITECTS, PLLC  
3731 Letrobe Drive, Suite 100  
Charlotte, NC 28211  
P: 704-365-3941  
F: 704-365-3942

100  
Westminster  
Winter Park  
Towers  
Expansion-  
Lifelong Learning  
Center  
Location:  
Lakemont Ave. -  
Winter Park, FL

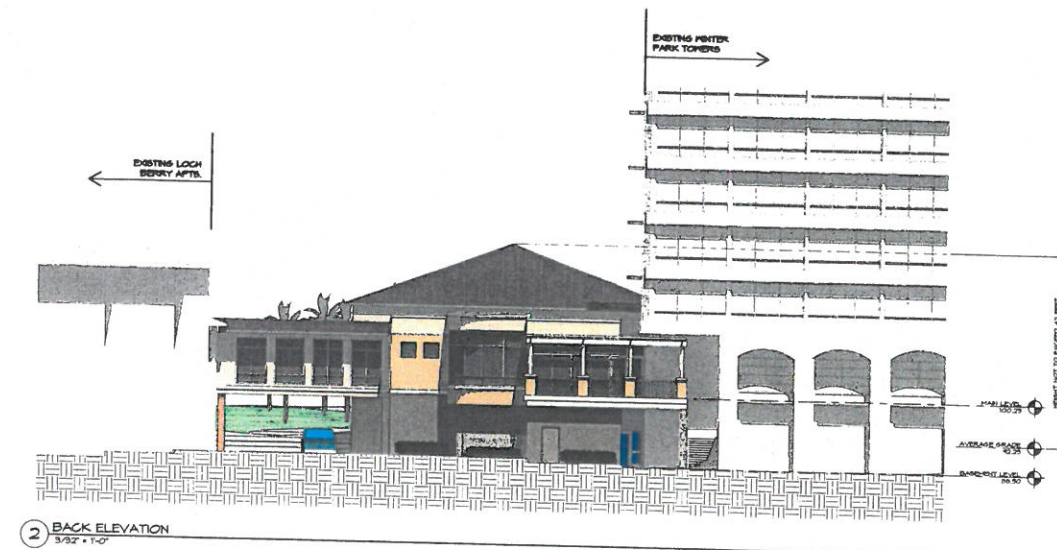
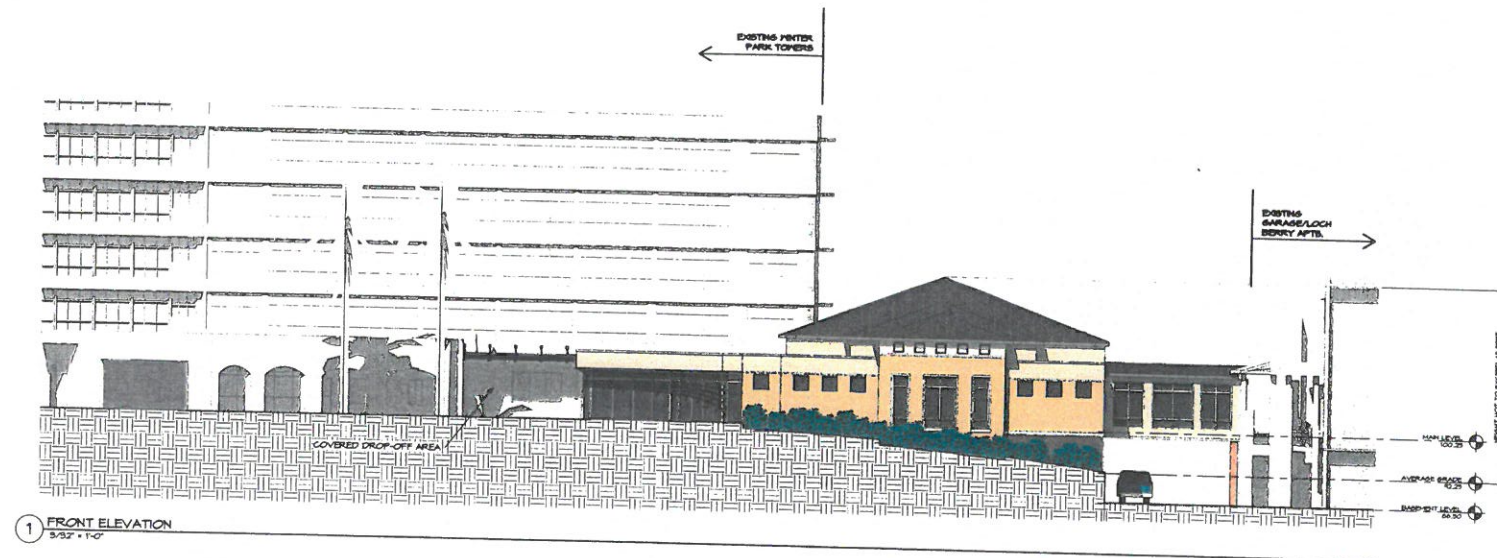
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Stewart & Connors Architects, PLLC  
All project number: 10.05.16  
55-01-101  
Drawn by: Author  
Checked by: Checker  
Revised:

Very close:

FINAL CONDITIONAL USE  
Sheet name:  
MAIN LEVEL  
FLOOR PLAN

Sheet number:

A2



**SCA**  
**STEWART & CONNERS**  
**ARCHITECTS, PLLC**  
3731 Latrobe Drive, Suite 100  
Charlotte, NC 28211  
p: 704-365-3941  
f: 704-365-3942

Westminster  
Winter Park  
Towers  
Expansion-  
Lifelong Learning  
Center

location:  
Lakemont Ave. -  
Winter Park, FL

© 2014 by  
Sinnott & Connors Architects, PLLC

---

ice project number:      date:  
93-01-101                      10.05.16

drawn by:                      checked by:  
Author                              Checker

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revisions:

### key plant:

FINAL CONDITIONAL USE  
sheet name: FRONT AND BACK ELEVATION

sheet number:

A3



Project:  
**Westminster  
 Winter Park  
 Towers  
 Expansion-  
 Lifelong Learning  
 Center**  
 Location:  
**Lakemont Ave. -  
 Winter Park, FL**

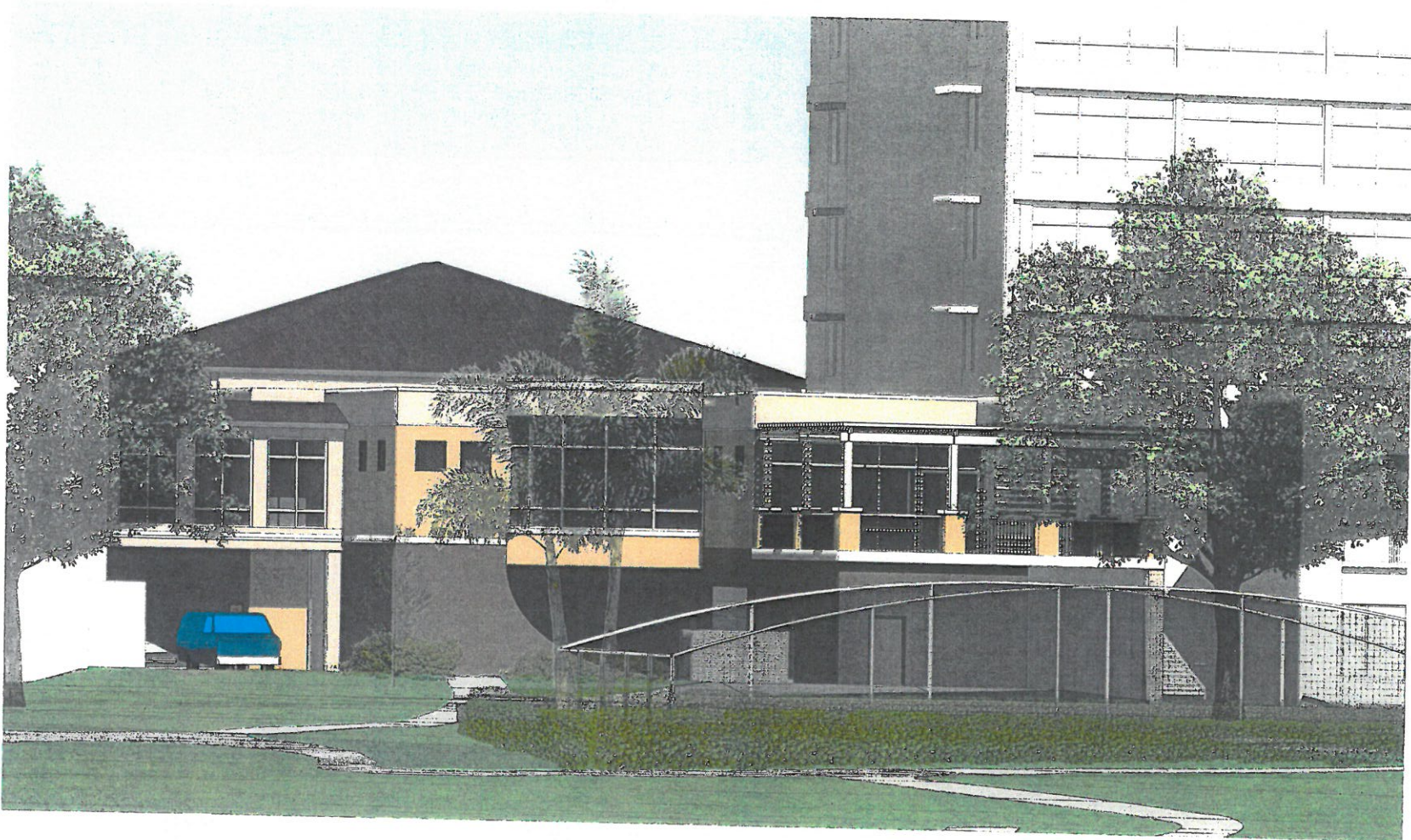
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 Drawn by: Author  
 Checked by: Checker  
 Revision:

Key plan:

FINAL CONDITIONAL USE  
 Sheet name:  
**BACK  
 PERSPECTIVE**

Sheet number:

**A5**



**1 BACK PERSPECTIVE**  
 Not To Scale





① LAKEVIEW PERSPECTIVE  
Not To Scale

**SCA**  
STEWART & CONNERS  
ARCHITECTS, PLLC  
3731 Latrobe Drive, Suite 100  
Charlotte, NC 28211  
p: 704-365-3941  
f: 704-365-3942

Site:  
Westminster  
Winter Park  
Towers  
Expansion-  
Lifelong Learning  
Center

Location:  
Lakemont Ave. -  
Winter Park, FL

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see project number: 10-05-16  
35-01-101  
drawn by: Author  
checked by: Checker  
revisions:

key plan:

FINAL CONDITIONAL USE

sheet name:  
LAKEVIEW  
PERSPECTIVE

sheet number:

A6



# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning and Community		<input checked="" type="checkbox"/> City Attorney		
division	Development		<input type="checkbox"/> N/A		
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0	final vote	
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life.				
	<input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.				
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.				
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

## Subject: Request for Subdivision of 200 Oakwood Way.

Z Properties Group is requesting subdivision or lot split approval to divide the property located at 200 Oakwood Way into two single-family lots. The zoning of this property is R-1AA. The property is currently occupied by one single-family home, which the applicant plans to demolish.

## Planning and Zoning Board Recommendation:

**Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision or lot split to divide the property at 200 Oakwood Way into two single-family lots as originally platted (Lots 3 & 6). Motion carried unanimously with a 7-0 vote.**

**Summary:** In the western portion of the property is a brick traffic circle which provides access mid-block from Oakwood Way to Rockwood Way. In August of 1936 this road, formerly known as Champion Circle, was vacated. The brick roadway surface is still in-place today. The applicant plans to remove the entire traffic circle, and has provided letters of consent from the affected parties (attached). Specifically, the applicant has agreed to remove all of the curbing and brick roadway, and add additional fill dirt to regrade the street and add new curbing. Also, they are going to add a new irrigation system, sod and fence to 160 Oakwood Way and 151 East Rockwood Way.

The original request was to split this property in a north/south direction which required a variance for the lots to be 83-feet wide each, as the R-1AA zoning requires a minimum of 100 feet of lot width. The neighbors and the staff preferred a split as the Lot #3 and Lot #6 were originally platted. In that way the homes would face both Rockwood and Oakwood Way.

## Planning and Zoning Board Minutes – Nov. 1, 2016:

### **REQUEST OF Z PROPERTIES GROUP FOR:** SUBDIVISION OR LOT SPLIT APPROVAL TO DIVIDE THE PROPERTY AT 200 OAKWOOD WAY, ZONED R-1AA, INTO TWO SINGLE FAMILY BUILDING LOTS.

Planning Manager Jeffrey Briggs presented the staff report. He explained that Z Properties Group is requesting subdivision or lot split approval to divide the R-1AA zoned property located at 200 Oakwood Way into two single-family lots. The property is currently occupied by one single-family home, which the applicant plans to demolish. Mr. Briggs reviewed the history of the property and explained that the western portion of the lot is a brick traffic circle (Champions Circle) that provides access mid-block from Oakwood Way to East Rockwood Way. However, in August of 1936 this road, formerly known as Champion Circle, was vacated. The brick roadway surface is still in-place today. The applicant plans to remove the entire traffic circle, and has provided letters of consent from the adjacent affected parties. Specifically, the applicant has agreed to remove all of the curbing and brick roadway, and add additional fill dirt to regrade the street and add new curbing. Also, they are going to add a new irrigation system, sod and fence to 160 Oakwood Way and 151 East Rockwood Way.

Mr. Briggs reviewed the zoning and comprehensive plan test criteria used in subdivision requests. He discussed the current configuration which was platted in an east/west pattern. The applicant desires to re-configure in a north/south which would result in the need for a variance. That pattern is not in keeping with neighborhood. He summarized by stating that there is neighborhood opposition to the requested lot split and staff does not recommend approval of lot splits with variance requests. Staff did support the alternative of redeveloping the lots as they were originally platted in the east/west pattern (Lots 3 and 6) because then no variances are needed and the lots fully comply with the R-1A zoning criteria.

Ira Kitograd, the applicant, 731 Pansy Avenue, discussed the plans to redevelop the property. He said that from an architectural standpoint, they would prefer to redevelop “side-by-side” versus “back-to-back” that would allow more design flexibility. However, he indicated his willingness to accept whatever direction the Board provides. Mr. Kitograd responded to Board member questions and concerns.

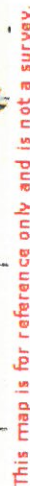
The following residents spoke in opposition to the request as originally presented: Linda Stanford, 201 East Fawcett Road; Glenna Harmon, 151 Oakwood Way; Donna Colada, 327 Beloit Avenue; Patricia Doherty, 211 Oakwood Way; Salvatore Curto, 251 Oakwood Way; Nan Castino, 250 Oakwood Way; Steve Garrity, 2150 Forrest Road; Suzanne Billings, 110 Chelton Circle; Drew De Vane, 220 Forrest Road; Stuart Lillie, 200 East Rockwood Way; and Jason Taft, 171 Oakwood Way. The neighbors all expressed their preference is to see the lots redeveloped as originally platted in the east/west orientation in keeping with the existing neighborhood so that the front of the homes faced Oakwood and Rockwood Way. The neighbors did not see the hardship to redevelop the lots “side-by-side” and they expressed that they want to maintain the character of the existing neighborhood.

No one else wished to speak concerning the request. Public hearing closed.

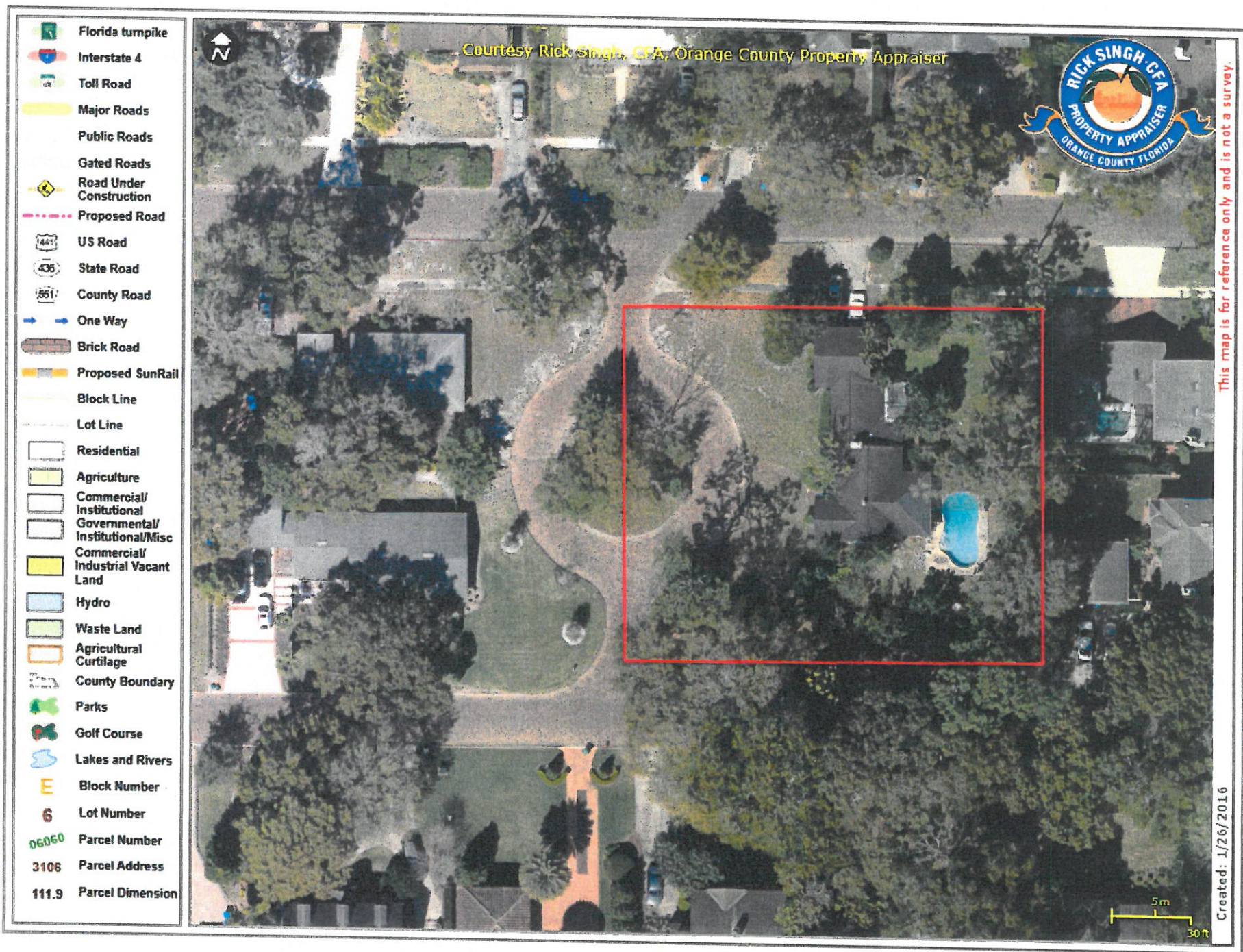
The Planning Board members expressed that the public input was very helpful and valid. The existing pattern of homes facing the streets should be maintained. There was consensus of the Board that the method requested by the neighbors which needed no variances was the correct decision.

**Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision or lot split to divide the property at 200 Oakwood Way into two single-family lots as originally platted (Lots 3 & 6). Motion carried unanimously with a 7-0 vote.**









ORDINANCE # 279

AN ORDINANCE TO VACATE CHAMPION CIRCLE  
A FIFTY FOOT STREET, AS SHOWN BY THE PLAT  
OF CHARMONT SUBDIVISION, RECORDED IN PLAT  
BOOK "L", PAGE 93, PUBLIC RECORDS OF ORANGE  
COUNTY, FLORIDA; SAID CHAMPION CIRCLE RUN-  
NING NORTH AND SOUTH BETWEEN OAKWOOD WAY  
AND PACKWOOD WAY, IN BLOCK "AA", OF CHAR-  
MONT SUBDIVISION.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF WINTER PARK:

Section 1. That Champion Circle, a fifty foot street,  
in Block "AA", of Charmont Subdivision, as shown by plat  
of Charmont Subdivision, as recorded in Plat Book "L",  
page 93, Public Records of Orange County, Florida, be and  
the same is hereby permanently vacated, abandoned and closed  
as a public street and thoroughfare of the City of Winter  
Park, Florida.

Section 2. That the City Clerk is hereby directed to  
prepare a certified copy of this ordinance, after its pass-  
age and adoption, and file the same with the Clerk of the  
Circuit Court of Orange County, Florida.

Section 3. This ordinance shall become effective im-  
mediately upon its final passage and adoption, and a copy  
of said ordinance shall be published once within ten days  
in the Winter Park Herald after its passage and adoption.

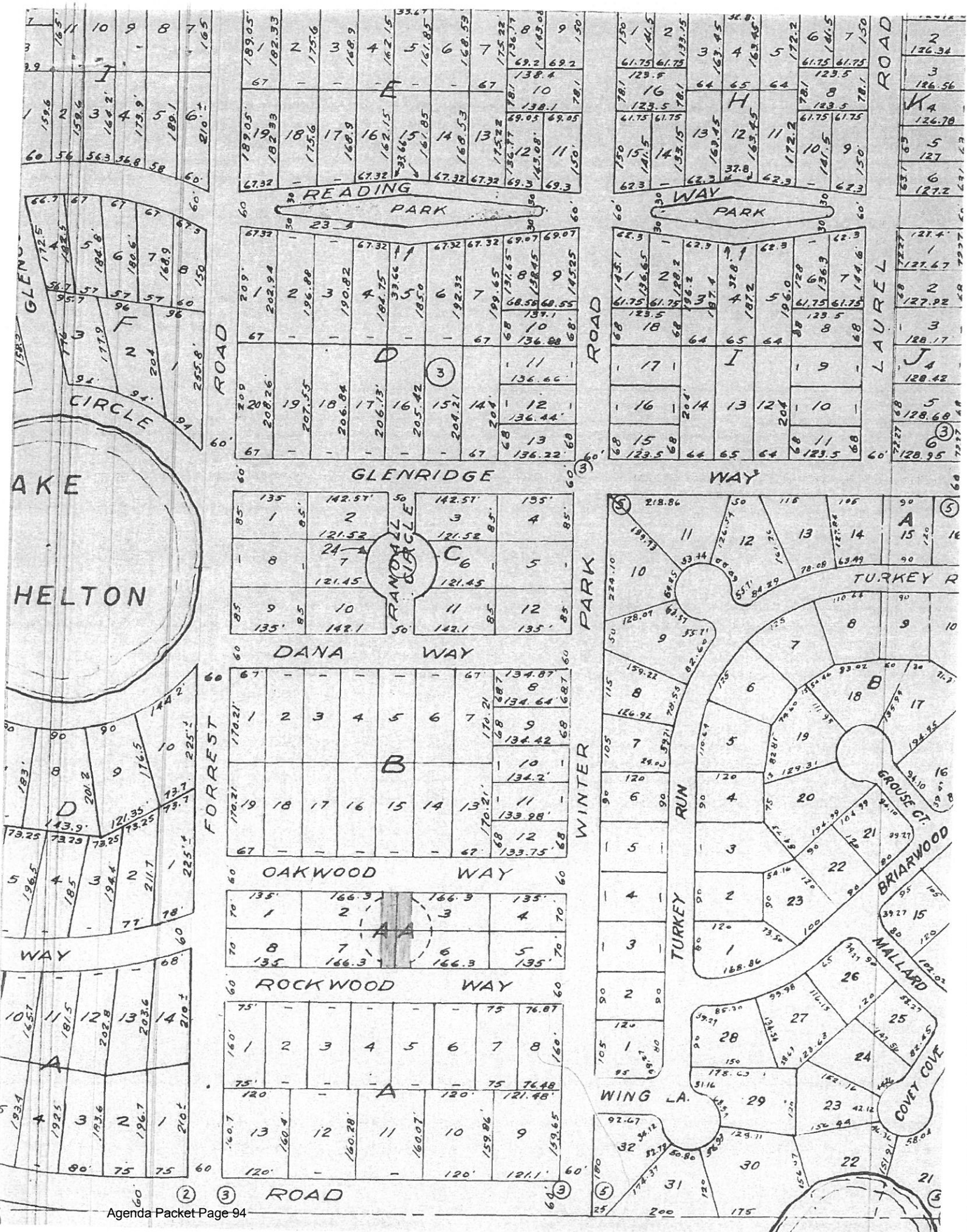
Adopted at a regular session of the City Commission of  
the City of Winter Park, Florida, this 3rd day of August,  
A.D. 1936.

  
\_\_\_\_\_  
Mayor-Commissioner

Attest:

  
\_\_\_\_\_  
City Clerk







Z

September 26, 2016

William Crosby  
150 Oakwood Way  
Winter Park, Fl. 32789

Re: Oakwood Cul-de-sac

Dear Mr. Crosby,

We currently have the property adjacent to yours, 200 Oakwood Way, under contract. We are proposing a lot split of this property. This letter will provide acknowledgement to the city that you approve of this split.

Z Properties will make the following improvements to the property:

- Remove all curbing at cul-de-sac

- Removal of brick roadway

- Add additional fill dirt and re-grade street

- New irrigation system and sod for 150 Oakwood Way and 151 Rockwood Way

- New fencing for 150 Oakwood Way and 151 Rockwood Way


- New curbing

Additionally Z Properties, a licensed Building Contractor approved to work in the City of Winter Park agrees to the following terms and conditions requested:

All work will be completed in an expeditious manner and 100% of costs associated with the work shall be the responsibility of Z Properties. The property owners, Brewer's and Crosby's, shall incur no costs associated with this project.

Z Properties | P.O. Box 488 | Winter Park, Fl. 32790  
407.929.3303 | zane@zpropertiesinc.com

Thank you,

 9/26/16  
\_\_\_\_\_  
William E. Crosby Date

Z

September 26, 2016

Joel & Lauren Brewer  
151 E. Rockwood Way  
Winter Park, Fl. 32789

Re: Oakwood Cul-de-sac

Dear Mr. and Mrs. Brewer

We currently have the property adjacent to yours, 200 Oakwood Way, under contract. We are proposing a lot split of this property. This letter will provide acknowledgement to the city that you approve of this split.

Z Properties will make the following improvements to the property:

- Remove all curbing at cul-de-sac

- Removal of brick roadway

- Add additional fill dirt and re-grade street

- New irrigation system and sod for 150 Oakwood Way and 151 Rockwood Way

- New fencing for 150 Oakwood Way and 151 Rockwood Way

- New curbing

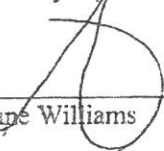
Additionally Z Properties, a licensed Building Contractor approved to work in the City of Winter Park agrees to the following terms and conditions requested:

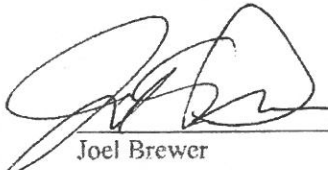
All work will be completed in an expeditious manner and 100% of all costs associated with the work shall be the responsibility of Z Properties. The property owners, Brewer's and Crosby's, shall incur no costs associated with this project.

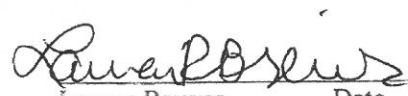
Z Properties | P.O. Box 488 | Winter Park, Fl. 32790  
407.929.3303 | zane@zpropertiesinc.com

All work will be constructed to code and fully inspected by the City of Winter Park.  
Additionally, Z Properties, at their expense shall hire an independent landscape contractor and  
engineer to fully inspect all new work in place including but not limited to Grading, Irrigation,  
Sod, Curbs, Sidewalks, Fencing, and any other work performed by Z properties.

Thank you.

  
\_\_\_\_\_  
Zane Williams                      9/26/16  
Date

  
\_\_\_\_\_  
Joel Brewer                      9/26/16  
Date

  
\_\_\_\_\_  
Lauren Brewer                      9/26/16  
Date

Z Properties | P.O. Box 488 | Winter Park, Fl. 32790  
407.929.3303 | zane@zpropertiesinc.com

November 1, 2016


James and Rebecca Alessandro  
160 W. Rockwood Way  
Winter Park, Fl. 32789

Re: Oakwood Cul-de-sac

Dear Jeff Briggs,

We are property owners at 160 W. Rockwood and we received notice of the lot split of 200 Oakwood Way. We are in favor of the lot split and re-developement of the poorly maintained cul-de-sac as it will add value to all surrounding properties.

Thank you,

  
James Alessandro  
11/1/16  
Date

  
Rebecca Alessandro  
11/1/16  
Date



## Jeffrey Briggs

---

**From:** jarvisd3@aol.com  
**Sent:** Monday, October 31, 2016 1:32 PM  
**To:** Mayor and Commissioners; Jeffrey Briggs  
**Subject:** Z Properties Variance Request



October 30, 2016

221 Oakwood Way  
Winter Park, FL 32789

James Johnston, Chairman  
Planning and Zoning Board  
401 Park Avenue, South  
Winter Park, FL 32789

Dear Mr. Johnston:

I received a Public Notice concerning the property located at 200 Oakwood Way and the plans being made by Z Properties Group with respect to this lot. The Notice indicated a request for a variance made by Z Properties in order to proceed with their desire to build 2 houses, each of approximately 5,000 sq. ft., to replace the current single dwelling. The purpose of my letter is to inform the Planning and Zoning Board and the Commission of my opposition to Z Properties's variance request.

The Vision Statement for the City of Winter Park indicates a commitment to maintaining the character of the City. A sampling of adjectives incorporated in the web site text includes but is not limited to: esteemed old communities, historic, charming features, and tree lined. Additional remarks included in this Vision for Winter Park also claim that the City cherishes its traditional scale and charm. I am most confused. These words do not reflect the current building trend in this area. I challenge the board to take a "field trip" to Rockwood Way, face due west and notice the size and character of the new house located at 100 Forrest Road. Then, walk about a half block to W. Rockwood Way, and consider the two homes currently under construction as well as the two recently completed houses. I can't fathom any architect who could honestly say that these homes fit the size, historical feel, or charm of this area in Old Winter Park. Additionally, there are two other lots on E. Rockwood Way where the original homes have been razed and are prepared for two more new houses to be constructed. City leaders are bound to support and enforce this Plan that "seeks growth through a collaborative process that protects the City's timeless scale and character". Approving variances that do not adhere to the parameters of the City's Test, Plan and Vision while simultaneously demolishing the homes upon which the standard was based are effectively creating a different baseline thereby mathematically altering the mean and median standards for variances. Soon, sections of Winter Park will be a mere repetition of Baldwin Park where descriptive adjectives could include big, angular, heavy, sterile, and high density. Unfortunately, the houses Z Properties plans to build are in alignment with the Baldwin Park descriptors with an emphasis on big, very big and not with those presented in the Vision Statement of the City of Winter Park. And, what happened to the trees on these overbuilt lots? Soon, "The City of Trees" moniker will have to be refocused to "The City of Big Homes" title.

My other concern involves the eradication of "the circle". The packet from the Planning and Zoning Board states that the circle was "vacated". How and why does one vacate a circle? What possessed the City of Winter Park to cease taking care of the curbs, roads and green space in a neighborhood? Is that not part of the responsibility of cities? Is the same situation repeated at Randall Circle located on the next block between Dana Way and Glenridge Road? These two circles are of the same approximate, size, placement within the city block, and function. Who or what had the power to treat one piece of land differently than the other? The three homes on Champion Circle have been bought and sold and bought again for 80 years. The past and present purchasers of these properties certainly had to have been aware of their property boundaries. Actually, it's very possible that previous owners realized the true value of Champion Circle in that it provided for them a guarantee that no one could build right on top of them, a concern about which most of us have no guarantee. The homeowners of these three properties also had to be aware that other private individuals (neighbors, friends and those doing business in this area) were using their property on a regular basis. No complaints or petitions for the cessation of this adverse practice were ever made known. This circle has "championed" friendship and a sense of community. It has been the site for birthday parties and egg hunts, neighborhood covered dish dinners, children playing

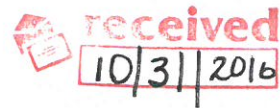
hide and seek, young people riding bikes around and around away from the threat of the direct traffic on the two primary streets, dogs walked, shared glasses of wine, and it is a grave site for Sandy (the dog) who is buried under the oak. What's truly unfortunate is that two of the current homeowners on the circle (151 E. Rockwood Way and 150 Oakwood Way) have no history at this location. They have not lived in this area very long, and therefore have no awareness of the best aspects Champion Circle encourages. The people maintaining the lot sought by Z Properties 200 Oakwood Way) are temporary residents. They have been at this location just long enough to take care of matters involving the death of Mrs. Elizabeth, her mother. So, they understandably would have little or no concern about the eradication of the circle, division of lots or homes to be built. The Plan states that the City values "a taste of the good life", protecting intangible qualities, pedestrian enhancement, making it easy for kids to find balanced creative play, and the commitment to increase the appeal of communities to residents, attracting and retaining families. The Champion Circle has support and continues to support each of those stated visions.

It seems a bit presumptuous that Z Properties took it upon themselves to approach, explain their intentions, make promises concerning payments, and acquire signatures of the circle homeowners before any public meetings or discussions have been held or any recommendations or decisions have been made by the Planning and Zoning Board or the City Commission.

So, for the reasons mentioned above and others too numerous to include in this letter, I am not in favor of the efforts of Z Properties to acquire a variance- no lot splitting, not two houses, no circle demolition. The primary benefactors of this variance would be for the financial gain of Z Properties and the positive tax impact for the City. I would like to see the City of Winter Park work with Z Properties to approve a tasteful home that can be built within the current specifications set forth and established by the Zoning Test and the Comprehensive Plan Test. Finally, the City web site states that growth pressure will continue in our city. But, it also says that Winter Park is "far from built out". Perhaps there's an alternative lot that better suits Z Properties desires.

Respectfully,

DTJarvis



Glenna Harmon

151 Oakwood Way  
Winter Park, FL 32789

October 30, 2016

Planning and Zoning Commission  
Winter Park, FL 32789

Dear Commissioners,

I recently received a Public Notice regarding the proposed construction by Z Properties Group at 200 Oakwood Way. The plans include dividing the current lot and building two homes, requiring a variance for lot width of 83 feet each. The zoning regulations require 100 feet.

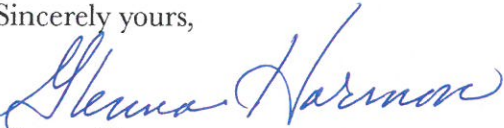
My greatest objection to the proposed plan is the orientation of these two homes. Oakwood residents would view the driveway, garage, fence, and rear wall of the houses. I know of no other home in our area or of all of Winter Park that has the rear of the house facing a residential street.

I also would be disappointed to lose Champion Circle and its trees and park. There are similar circle parks on Randall Circle, Reading Way and Kings Way. We would be losing a historical community asset which draws the neighborhood together.

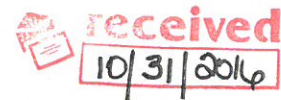
The proposed houses are very large, approximately 5,000 square feet each on 1/4 acre lots, leaving no room for landscaping or trees. They overwhelm the scale and character of the immediate neighborhood, altering the charm and the feel of the street and the Lake Sue community.

Finally, in making your recommendation, I ask you to please consider how you would feel if this plan were affecting the view from your front porch.

Sincerely yours,

  
Glenna Harmon





Keith M. Kasen

150 E. Rockwood Way  
Winter Park, FL 32789

October 31, 2016

Planning and Zoning Commission  
Winter Park, FL 32789

Dear Commissioners,

I am writing about the proposed construction by Z Properties Group at 200 Oakwood Way. Their plan calls for dividing the lot into two parcels and building two story houses that cover all available property with construction.

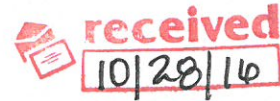
We moved into our home in October of 2008. Part of the reason for selecting the property was the long view afforded from the front of the house of Champion Circle. The plan you are considering, if approved, would block the view and replace it with two large homes in close proximity.

The design is quite unusual. I know of no other area where houses are positioned so that the rear of the house is facing a street (Oakwood).

If approved, the charm and feel of the neighborhood will suffer and I believe decrease our property value.

Sincerely,

Keith M. Kasen



Anthony Azzollini  
230 E. Rockwood Ave  
Winter Park, Florida 32789

October 28, 2016

James Johnston, Chairman  
Planning and Zoning Board  
Jeffrey Briggs, City Manager  
401 Park Avenue, South  
Winter Park, FL 32789

Jeffrey Briggs [Jbriggs@cityofwinterpark.org]

Dear Mr. Briggs & Chairman Johnson,

Recently we received a Public Notice regarding the property at 200 Oakwood Way which is located ACROSS THE STREET from the property that I currently own. I am writing you this letter to make my position known to members of the Zoning Board as well as the City Commission that as an owner in very close proximity we APPROVE and SUPPORT the proposed lot split.

We feel this proposal will significantly enhance the neighborhood. I believe that this lot split is appropriate for the following reasons:

It would be more compatible with the neighborhood to have two smaller homes rather than one massive home that could possibly be built on such a large lot.

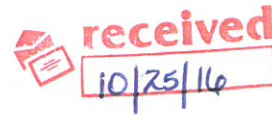
The current home located at 200 Oakwood is an older residence, not well maintained, and not adding anything architecturally to the community.

Splitting the lot into two parcels will be more compatible to the smaller narrow 70 foot lots located access the street on both Oakwood and Rockwood.

There will be a benefit to remove the private access road that connects Oakwood & Rockwood has little use and a little confusing at times.

Thanking you in Advance

  
ANTHONY AZZOLLINI



October 25, 2016

250 Oakwood Way  
Winter Park, FL 32789

James Johnston, Chairperson  
Jeff Briggs, Manager  
Planning and Zoning Commission  
Winter Park, FL 32789

Dear Commissioners:

This past week we received a Public Notice regarding the property at 200 Oakwood Way which is adjacent to my home. Specifically, a variance is sought by Z Properties Group to subdivide the lot, enabling them to build two homes at that location. In order to proceed with the project, variances are needed to allow 83 feet of lot width for each job site. The current R-1AA zoning requirement is 100 feet of lot width.

The purpose of this letter is let you and members of the Commission know that residents in close proximity to the above property, object to the proposed variance. I expect that each will make their concerns known to the Commission in a manner of their own choosing, however, we are generally agreed on the following:

- These two homes are very large for the proposed lot size (approximately 5000 sq ft each) and would look out of place
  - The proposed construction will straddle the entire strip of land between Oakwood Way and Rockwood Way, resembling shotgun-style homes
  - There are no other homes in the Charmont neighborhood with such an orientation
  - On the corners of both Oakwood and Rockwood, bordering on the property, are two large two-story homes. Placing two more in such proximity creates an appearance inconsistent with the surrounding neighborhood, suggesting high density zoning
  - Oakwood residents will only see the back wall and garage – reminiscent of Baldwin Park alley ways
  - The proposed project, if completed, may adversely affect surrounding property value
  - The variance sets a precedent with the potential to alter the character and charm of old Winter Park neighborhoods
- In addition to the above concerns shared with me by my neighbors, I have concerns of particular importance to me. The proposed homes will overlook my pool, my family room and create a direct sight line into my master bedroom on the second floor of my home, thus destroying my privacy.

The important issue of whether or not the Commission approves or denies the requested variance has the attention of residents from both affected streets. Those of us who are able, plan on attending the November 1<sup>st</sup> and 28<sup>th</sup> meetings and, if appropriate, would be available to speak about our objections.

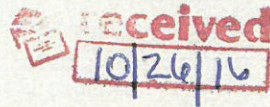
Respectfully,

*Nan Castino*  
Nan Castino



October 24, 2016

251 Oakwood Way  
Winter Park, FL 32789



James Johnston, Chairman  
Planning and Zoning Board  
401 Park Avenue, South  
Winter Park, FL 32789

Dear Mr. Johnston:

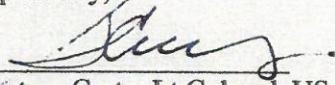
This past week we received a Public Notice regarding the property at 200 Oakwood Way which is across from our home. Specifically, a variance is sought by Z Properties Group to subdivide the lot, enabling them to build two homes at that location. In order to proceed with the project, variances are needed to allow 83 feet of lot width for each job site. The current R-1AA zoning requirement is 100 feet of lot width.

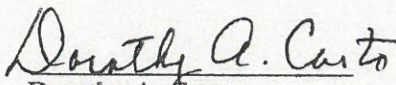
The purpose of this letter is to let members of the Zoning Board, as well as the City Commission, know that residents in close proximity to the above property object to the proposed variance. While each will make their concerns known to the Commission in a manner of their own choosing, we are generally agreed on the following:

- These two homes are very large for the proposed lot size (approximately 5000 sq ft each) and would look out of place
- The proposed construction will straddle the entire strip of land between Oakwood Way and Rockwood Way, resembling shotgun-style homes
- There are no other homes in the Charmont neighborhood with such an orientation
- On the corners of both Oakwood and Rockwood, bordering on the property, are two large two-story homes. Placing two more in such proximity creates an appearance inconsistent with the surrounding neighborhood, suggesting high density zoning
- Oakwood residents will only see the back wall and garage – reminiscent of Baldwin Park alley ways
- If the existing property were divided along an east-west axis (instead of north-south), two homes could be built back-to-back and would compliment both streets
- The project, if completed as proposed, may adversely affect surrounding property value
- The variance sets a precedent with the potential to alter the character and charm of old Winter Park neighborhoods

The important issue of whether or not the Commission approves or denies the requested variance has the attention of residents from both affected streets. Those of us who are able, plan on attending the November 1<sup>st</sup> and 28<sup>th</sup> meetings and, if appropriate, would be available to speak about our objections.

Respectfully,

  
Salvatore Curto, Lt.Colonel, USAF, Ret.

  
Dorothy A. Curto

Cc: [mayorandcommissioners@cityofwinterpark.org](mailto:mayorandcommissioners@cityofwinterpark.org)  
[jbriggs@cityofwinterpark.org](mailto:jbriggs@cityofwinterpark.org)



## Jeffrey Briggs

---

**From:** ibk1000@gmail.com  
**Sent:** Monday, October 31, 2016 7:36 PM  
**To:** Zane Williams; Jeffrey Briggs  
**Subject:** Fwd: Proposed lot split at 200 E Rockwood Way

Sent from my iPhone

Begin forwarded message:

**From:** "Spoonhour, James" <[James.Spoonhour@lowndes-law.com](mailto:James.Spoonhour@lowndes-law.com)>  
**Date:** October 31, 2016 at 6:45:04 PM EDT  
**To:** "'[ibk1000@gmail.com](mailto:ibk1000@gmail.com)'" <[ibk1000@gmail.com](mailto:ibk1000@gmail.com)>  
**Subject:** Proposed lot split at 200 E Rockwood Way

Ira: As we discussed today, my wife and I own the neighboring house at 241 E. Rockwood Way. We have no objection to your proposed lot split and think your proposed houses will be a good upgrade to the neighborhood. If there is any way to save the large oak behind our garage, that would be sincerely appreciated. Best wishes for your project. Jim Spoonhour 407-474-1383 (cell)

**James M. Spoonhour**

Lowndes, Drosdick, Doster, Kantor & Reed, P.A.  
215 North Eola Drive  
Orlando, FL 32801  
Phone: 407-418-6300  
Fax: 407-843-4444  
email: [james.spoonhour@lowndes-law.com](mailto:james.spoonhour@lowndes-law.com)  
website: [www.lowndes-law.com](http://www.lowndes-law.com)

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# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/>	City Manager	
department	Planning and Community Development		<input checked="" type="checkbox"/>	City Attorney	
division			<input type="checkbox"/>	N/A	
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes	<input type="checkbox"/> no	<input type="checkbox"/> N/A	7-0 final vote
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life. <input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character. <input type="checkbox"/> Enhance city's brand through flourishing arts and culture. <input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

## Subject: Request for Subdivision Approval for 1693 Lee Road.

The applicant, NPI WP Real Estate Holdings LLC (owner) is requesting the following:

1. To subdivide the property located at 1693 Lee Road, zoned office, O-1, into two office building lots in order to allow fee simple ownership of the two office building pads with common ownership of the parking, drives and other infrastructure, and
2. To establish building setbacks so that the site may be further developed with a second 9,900-square foot office building in addition to the existing 9,560-square foot medical office.

## Planning and Zoning Board Recommendation:

**Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision request to divide the property at 1693 Lee Road into two office building lots and to establish building setbacks so the site may be developed with a second 9,900 square foot office building in addition to the existing 9,560 square foot medical office in order to allow fee simple ownership of the two office building pads and common ownership of parking, drives and other infrastructure. Motion carried unanimously with a 7-0 vote.**

**Summary:** The property owner wants to split this property so that the existing 9,560 square foot office building and the future 9,900 square foot office can also be owned fee simple. As such they need to do a re-plat so that the common areas holding the parking, etc can be owned in common by the P.O.A. For O-1 zoned properties there is no minimum building site size, but each property is required to have at least 50 feet of frontage on a publically dedicated right-of-way. These proposed lots will equally share ownership of the remaining land area within Tracts A and B, including the parking lot, utility and storm water drainage areas.

The applicant is also requesting to establish building setbacks for this property so that the site may be further developed with a second 9,900-square foot office building with the same 8 foot side setback to the western apartment driveway property as the existing 9,560-square foot medical office. When existing medical office was developed, the side setback was 5 feet but in 2009 it was changed to 15 feet when adjacent to residential. Technically, it is adjacent to residential as the abutting land is the driveway to the apartments in the rear.

Therefore, the applicant is requesting that the proposed additional building to be built on the newly subdivided Lot 2 to follow this same eight-foot setback from the western property line. Since this abuts a driveway to the apartments in the rear staff feels that this will not negatively impact the adjoining property.

**Planning and Zoning Board Summary:** The P&Z Board was comfortable with the re-plat and with the 8 foot side setback since the lots abut a driveway to the apartments in the rear and thus will not negatively impact the adjoining property.

## Planning and Zoning Board Minutes – Nov. 1, 2016:

**REQUEST OF NPI WP REAL ESTATE HOLDINGS LLC FOR:** SUBDIVISION APPROVAL TO DIVIDE THE PROPERTY AT 1693 LEE ROAD, ZONED OFFICE (O-1), INTO TWO OFFICE BUILDING LOTS AND TO ESTABLISH BUILDING SETBACKS SO THAT THE SITE MAY BE FURTHER DEVELOPED WITH A SECOND 9,900 SQUARE FOOT OFFICE BUILDING IN ADDITION TO THE EXISTING 9,560 SQUARE FOOT MEDICAL OFFICE IN ORDER TO ALLOW FEE SIMPLE OWNERSHIP OF THE TWO OFFICE BUILDING PADS AND COMMON OWNERSHIP OF PARKING, DRIVES AND OTHER INFRASTRUCTURE.

Planning Manager Jeffrey Briggs presented the staff and explained that the applicant, NPI WP Real Estate Holdings LLC (owner) is requesting the following:

1. To subdivide the property located at 1693 Lee Road, zoned office, O-1, into two office building lots in order to allow fee simple ownership of the two office building pads with common ownership of the parking, drives and other infrastructure, and
2. To establish building setbacks so that the site may be further developed with a second 9,900-square foot office building in addition to the existing 9,560-square foot medical office.

These proposed lots will equally share ownership of the remaining land area within Tracts A and B, including the parking lot, utility and storm water drainage areas. The applicant is also requesting to establish building setbacks for this property so that the site may be further developed with a second 9,900-square foot office building in addition to the existing 9,560-square foot medical office. The existing medical office was developed when the City's side setback standards for O-1 zoned properties that share a common line with a residentially-zoned parcel were five feet. Currently the building is setback eight feet from western property line, which is a residentially-zoned property. Today's code requires a 15-foot setback from this residential property line. Therefore, the applicant is requesting that the proposed additional building to be built on the newly subdivided Lot 2 follow this same eight-foot setback from the western property line. Since this abuts a driveway to the apartments in the rear staff feels that this will not negatively impact the adjoining property. Staff recommended approval of the request.

Attorney Tara Tedrow, 215 North Eola Drive, represented the applicant. She was in agreement with staff recommendations. Mr. Slocum asked if the applicant would be willing do to an enhanced landscape buffer along the western property line. Ms. Tedrow responded that there will be landscaping on the western property line.

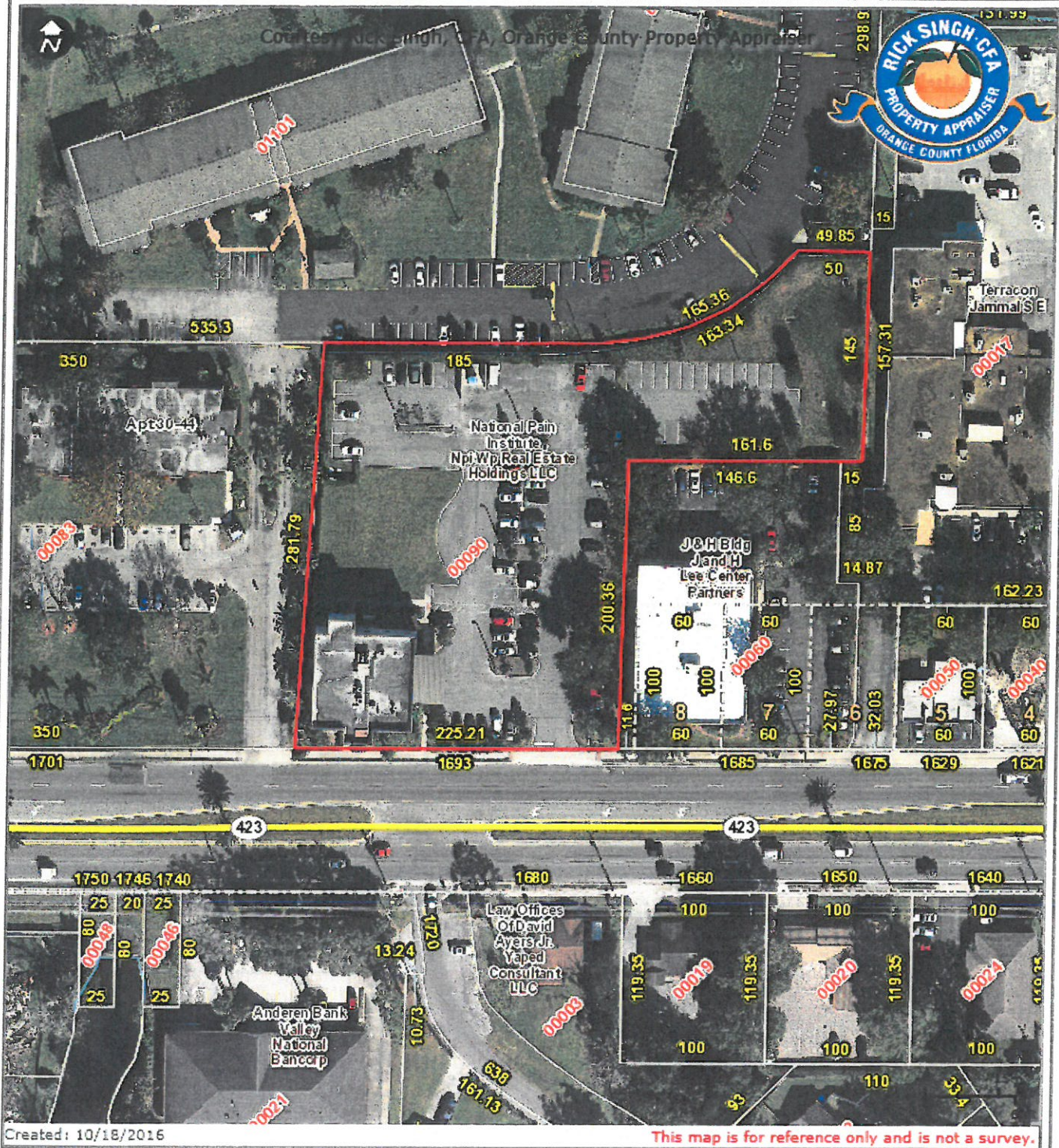
No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

The Planning Board members agreed that this request was in conformance with the Code and that the one setback variance was consistent with the current building and would not negatively affect the adjacent property as it was only used as driveway access.

**Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the subdivision request to divide the property at 1693 Lee Road into two office building lots and to establish building setbacks so the site may be developed with a second 9,900 square foot office building in addition to the existing 9,560 square foot medical office in order to allow fee simple ownership of the two office building pads and common ownership of parking, drives and other infrastructure. Motion carried unanimously with a 7-0 vote.**



## Parcel Report for 01-22-29-0000-00-090





# WINTER PARK PLAZA SUBDIVISION

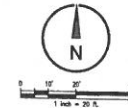
PARCEL ID NUMBER 01-22-29-0000-00-090  
1693 LEE ROAD, WINTER PARK, FL 32789

## LEGAL DESCRIPTION

A Tract of land being a portion of the Northwest 1/4 of Section 1, Township 22 South, Range 29 East, being more particularly described as follows:  
Commencing at the Southwest corner of the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of said Section 1; thence South 89°24'25" East along said South line of North 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 1, a distance of 322 feet to the Point of Beginning; thence North 03°36'41" East 331.79 feet; thence South 89°22'35" East 185 feet to the P.O.C. of a curve concave Northerly; thence along the arc of a curve having an interior angle of 50°12'13", a radius of 186.42 feet, an arc length of 163.34 feet; thence South 89°06'25" East 50 feet; thence South 07°53'35" West 145 feet; thence North 89°24'23" West 151.6 feet; thence South 01°52'48" West, 252 feet; thence North 89°24'23" West 225.21 feet to the Point of Beginning.

Subject to Easement for Road Purposes for Lee Road (S.R. #438).

$R = 186.42'$   
 $L = 163.34'$   
 $\Delta = 50^\circ 12' 13''$   
 $CH = 158.17'$   
 $CB = N 65^\circ 04' 34'' E$



## SUBDIVISION PLAN NOTES

TOTAL SITE AREA = 1.88 AC. (81,826.76 SF)

CURRENT ZONING = O-1

SURROUNDING LAND USE:

NORTH: MFR / R-3

EAST: OFFICE / O-1

SOUTH: LEE ROAD, OFFICE / O-1

WEST: MFR / R-3

SITE IS LOCATED IN ZONE X, BASED ON F.R.M. MAP NUMBER 120950225SF, DATED SEPTEMBER 25, 2009.

THE SITE IS CURRENTLY DEVELOPED. THERE ARE NO JURISDICTIONAL WETLANDS, THREATENED OR ENDANGERED SPECIES.

## SUBDIVISION SUMMARY

### ASSOCIATION, COVENANTS AND RESTRICTIONS

THE LOTS WITHIN THE SUBDIVISION ARE SUBJECT TO AND GOVERNED BY THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WINTER PARK PLAZA TO BE RECORDED IN THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

ALL TRACTS (A & B) AND PRIVATE EASEMENTS DEPICTED HEREON ARE NON-EXCLUSIVE, PERPETUAL, AND SHALL BE MAINTAINED BY WINTER PARK PLAZA PROPERTY OWNERS ASSOCIATION FOR THEIR BENEFIT AND FOR THE BENEFIT OF THE OWNERS OF LOT 1 AND LOT 2 SUBJECT TO THE TERMS OF THE DECLARATION.

### TRACT A - 10,899.40 SF

PRIVATE ACCESS, PARKING, UTILITY, DRAINAGE, AND OPEN SPACE TO BENEFIT LOT 1 AND LOT 2. TRACT A WILL ALSO BE DEDICATED AS PUBLIC ACCESS TO LOT 1 AND LOT 2.

### TRACT B - 37,583.09 SF

PRIVATE ACCESS, PARKING, UTILITY, DRAINAGE AND OPEN SPACE TO BENEFIT LOT 1 AND LOT 2.

### LOT 1 - 16,925 SF

PRIVATE DEVELOPMENT LOT INCLUDING EXISTING 8,500 SF, 2-STORY BUILDING. LOT 1 SHALL BE ACCESSIBLE THROUGH TRACT A. LOT 1 HAS 50% BENEFICIARY INTEREST IN AND MAINTENANCE RESPONSIBILITY FOR SHARING OF TRACT A AND TRACT B WITH LOT 2.

### LOT 2 - 16,918.81 SF

PRIVATE DEVELOPMENT LOT CURRENTLY VACANT. LOT 2 SHALL BE ACCESSIBLE THROUGH TRACT A. LOT 2 HAS 50% BENEFICIARY INTEREST IN AND MAINTENANCE RESPONSIBILITY FOR SHARING OF TRACT A AND TRACT B WITH LOT 1.

### EASEMENTS

EASEMENT 1: EXISTING WATER METER EASEMENT PER OFFICIAL RECORDS BOOK 10005 PAGE 5336 AND OFFICIAL RECORDS BOOK 10030, PAGE 3045.

EASEMENT 2: EXISTING DISTRIBUTION EASEMENT PER OFFICIAL RECORDS BOOK 10038, PAGE 7273.

EASEMENT 3: EXISTING CABLE EASEMENT PER OFFICIAL RECORDS BOOK 9922, PAGE 1574.

EASEMENT 4: EXISTING WATER MAIN EASEMENT PER OFFICIAL RECORDS BOOK 9888, PAGE 512.

EASEMENT 5: PROPOSED 10' DRAINAGE EASEMENT TO BENEFIT ADJACENT PROPERTY TO THE NORTH AND TO BE RECORDED AS PART OF THIS SUBDIVISION PLAT. IT SHOULD BE NOTED THAT DRAINAGE PIPE EXISTS ACROSS TRACT A AND TRACT B. HOWEVER, THERE IS NO EASEMENT.

EASEMENT 6: PROPOSED 6' WIDE PRIVATE ACCESS, PARKING, DRAINAGE AND UTILITY EASEMENT TO BENEFIT LOT 1, AND LOT 2.

EASEMENT 7: PROPOSED 10' PRIVATE UTILITY EASEMENT FOR GENERAL PURPOSE OF CROSS UTILITY ACCESS TO BENEFIT LOT 1, AND LOT 2.

### NOTES:

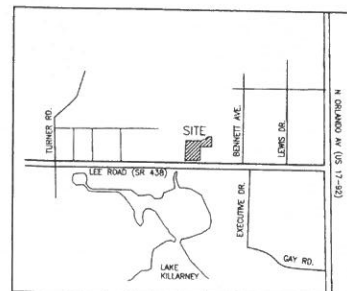
1) LOT 1 AND LOT 2 SHALL EQUALLY SHARE LAND AREA, NUMBER OF PARKING SPACES AND OPEN SPACE ON TRACTS A AND B IN CALCULATING DEVELOPMENT INTENSITY ON EACH LOT. BASED ON A TOTAL LAND AREA OF 81,826.76 SQUARE FEET (1.88 ACRES) AND 145 ALLOWABLE FLOOR AREA RATIO, EACH LOT SHALL BE ENTITLED TO DEVELOP 14,411 SQUARE FEET PROVIDED EACH DEVELOPMENT MEETS ALL OTHER REQUIREMENTS OF CITY OF WINTER PARK AND OTHER GOVERNMENTAL AGENCIES HAVING JURISDICTION.

PRINCIPAL BUILDING SETBACKS REQUIRED FOR DEVELOPMENT ON LOT 1 AND LOT 2 SHALL BE AS DEPICTED ON THIS SUBDIVISION PLAT.

2) THE TERM DRAINAGE SHALL MEAN ABOVE AND UNDERGROUND FACILITIES INCLUDING BUT NOT LIMITED TO PAVEMENT, POND AREAS, GUTTERS, PIPES, DRAINAGE WEIERS, AND/OR CONTROL STRUCTURES THAT ARE USED TO CONVEY, RETAIN, DETAIN, DISCHARGE, AND MANAGE STORMWATER.

3) UNLESS SPECIFICALLY NAMED OR INDICATED, UTILITIES SHALL MEAN EQUIPMENTS AND/OR DEVICES USED TO PROVIDE OR CONVEY SERVICES OF WATER, SANITARY SEWER, LPT STATION, ELECTRICITY, TELEPHONE, DATA, CABLE TV, GAS, IRRIGATION AND SIMILAR COMMUNITIES.

4) OPEN SPACE SHALL MEAN ANY LAND AREAS (PAVED OR NOT PAVED) THAT ARE OPENED TO THE SKY AND NOT USED AS PAVED PARKING AREA.



LOCATION MAP

SUBDIVISION PLAN

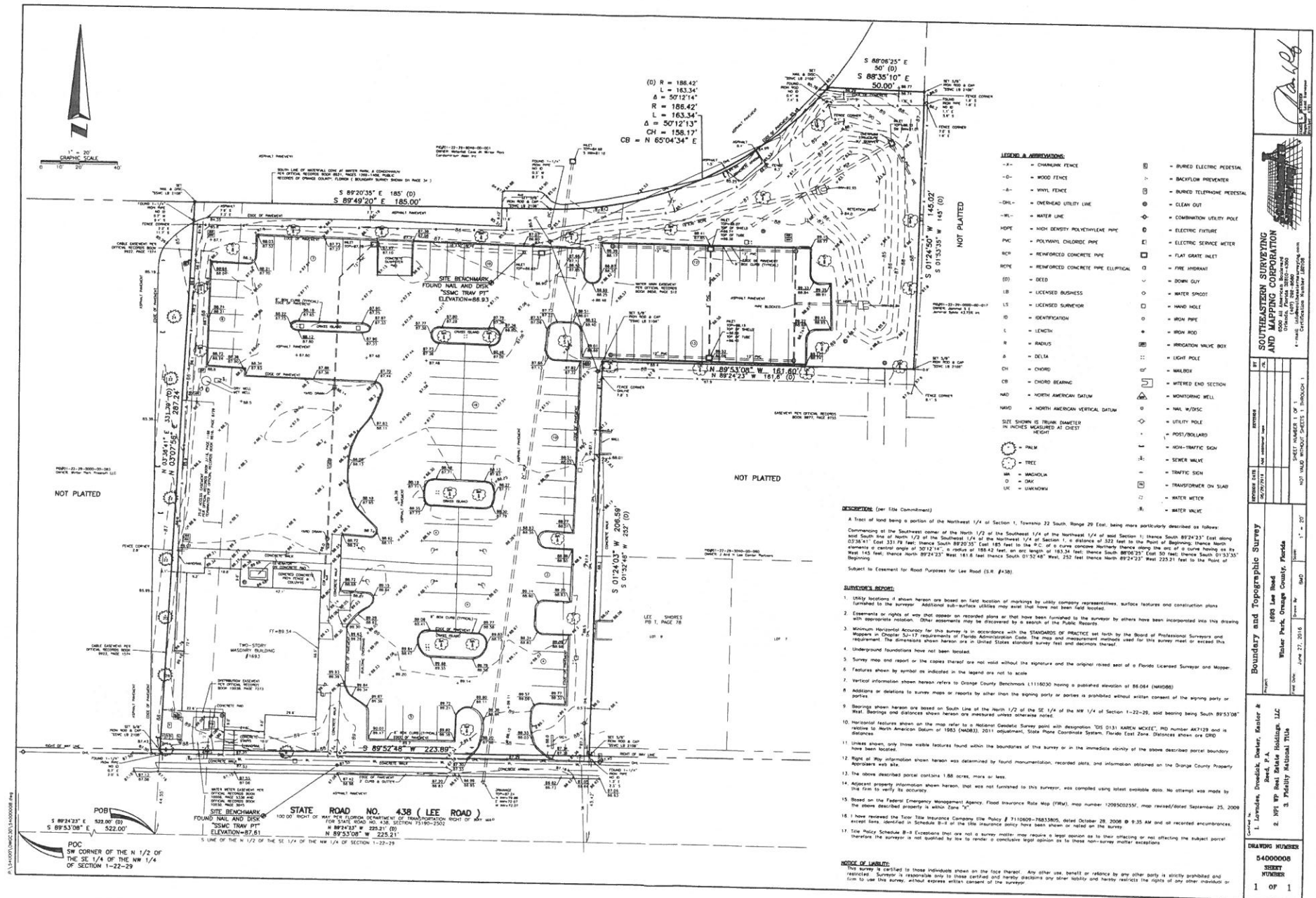
WINTER PARK PLAZA SUBDIVISION

WINTER PARK, FLORIDA

09-27-16 CLIENT REVIEW

Issue Date and Purpose	
Project Number:	1654
Drawn by:	J. TORSTEN
Checked by:	M. PALAZCHIK
Scale:	

PSP-1





# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning and Community		<input checked="" type="checkbox"/> City Attorney		
division	Development		<input type="checkbox"/> N/A		
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	4-3	final vote	
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life.				
	<input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.				
	<input type="checkbox"/> Enhance city's brand through flourishing arts and culture.				
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

**Subject: Determination on the Prospective Sale of the Blake Yard Property and Changing Future Land Use from Institutional to Low-Density Residential and Rezoning from PQP to R-2 to accomplish that sale.**

This agenda item has the following three purposes:

1. Determining whether the City Commission desires to undertake the advertising and notice via a Notice of Disposal process in order to sell the Blake Yard property, and
2. If so, then changing the Comprehensive Plan future land use designation of Institutional to Low Density Residential on the property at 301 West Comstock Avenue; and
3. If so, then changing the Zoning on the same property from Public, Quasi-Public (PQP) to Low Density Residential (R-2).

## Planning and Zoning Board Recommendation:

Motion made by Mr. J. Johnston, seconded by Mr. Slocum to Approve the request to amend the Comprehensive Plan Future Land Use Map from Institutional to Low Density Residential future land use designation on the "Blake Yard" property at 301 West Comstock Avenue. A roll call vote was taken and the Board voted as follows: Commissioners Sacha, R. Johnston, Slocum, J. Johnston voted yes. Commissioners Gottfried Hahn and De Ciccio voted no. Motion carried with a 4-3 vote.

Motion made by J. Johnston, seconded by Mr. Slocum to approve the request to amend the official Zoning Map from Public, Quasi-Public (PQP) Zoning to Low Density Residential (R-2) on the vacant "Blake Yard" property at 301 West Comstock Avenue. A roll call vote was taken and the Board voted as follows: Commissioners Sacha, R. Johnston, Slocum, J. Johnston voted yes. Commissioners Gottfried Hahn and De Ciccio voted no. Motion carried with a 4-3 vote.

**Summary:** The City Commission has discussed the Blake Yard property but has not yet made a decision on whether it is surplus to the City's needs and a candidate for sale through a Notice of Disposal public process. The property is now vacant and not used for city purposes. The primary purpose of this public hearing is to determine if the City Commission desires to sell this property or alternatively use it for a City purpose such as open space, park community garden, etc.

One complication to a potential sale is that the property currently has an Institutional future land use designation and Public Quasi-Public (PQP) zoning. There are very limited private development options given these land use designations that are in place due to the City's previous use of the property for construction staging and as an electric utility storage yard.

The property is adjacent to the David Weekly townhouse development, zoned R-2 and the one story Grant Chapel building, zoned O-2. The property borders the FDOT railroad tracks. Across Comstock Avenue is single family R-1A zoning. In looking at the location of the property and based upon advice from the City's real estate broker, the staff recommendation as well as that from the City's real estate broker is to change the future land use designation to low density residential and R-2 zoning.

**Effect of the Low Density Residential/R-2 Zoning:** The property is 19,125 square feet in size. Under the maximum densities of the R-2 zoning, one could build up to four residential units and up to 10,518 total square feet of building floor space.

**Property Disposal Process:** Because this property is located within the CRA, it is required to be advertised through a Notice of Disposal process. The City intends to utilize our broker to list the property for wider notice of its availability. Based upon a review of the offers and the development proposals, the staff and city's broker will advise the City Commission on acceptance of any offer. The City's Charter also requires an Ordinance to be adopted for the sale of any city property so that the public can comment on that proposed action. While economic return is an important factor, it is not a 'highest bid' and the City Commission may choose an offer based both upon price and the prospective development proposal. That process would allow the City to sell all or part of the property so that the neighbors at the David Weekly townhouses could bid on the 20 feet they desire. In order to get that process started and to provide a framework for offers, the property needs to be designated for other than just a municipal use and zoning.

**Alternative Uses:** There are alternative uses that have been proposed for this property to remain in city ownership and be used as a park or community garden or bike trailhead or a combination of all of those. If those alternate uses are preferred then the zoning does not need to change.

**Planning and Zoning Board Summary:** The Planning and Zoning Board were split on this matter. A four member majority felt that the property was ill suited for a park or community garden at the dead end of Comstock Avenue, next to the railroad and with limited access and visibility. They preferred that if more parkland was a priority that the money from the sale be used to purchase a property with a better location. The three member minority felt that the property was well suited for open space or some type of parkland. They did not feel that the City should sell this land asset unless the sale was directly tied to the purchase of another property that the City could use for municipal purposes.

## Planning and Zoning Board Minutes – Nov. 1, 2016:

**REQUEST OF THE CITY OF WINTER PARK TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP FROM AN INSTITUTIONAL FUTURE LAND USE DESIGNATION TO A LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION ON THE VACANT "BLAKE YARD" PROPERTY AT 301 WEST COMSTOCK AVENUE.

**REQUEST OF THE CITY OF WINTER PARK TO:** AMEND THE OFFICIAL ZONING MAP FROM PUBLIC, QUASI-PUBLIC (PQP) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE VACANT "BLAKE YARD" PROPERTY AT 301 WEST COMSTOCK AVENUE.

Planning Manager Jeffrey Briggs presented the staff report and explained that the City of Winter Park is requesting the following:

1. Changing the Comprehensive Plan future land use designation of Institutional to Low Density Residential on the property at 301 West Comstock Avenue;
2. Changing the Zoning on the same property from Public, Quasi-Public (PQP) to Low Density Residential (R-2).

He explained that the City Commission has discussed the Blake Yard property but has not yet made a decision on whether it is surplus to the City's needs and a candidate for sale through a Notice of Disposal public process. The property is now vacant and not used for city purposes. The primary purpose of this public hearing is to determine if the City Commission desires to sell this property or if they alternatively desire to use it for a City purpose such as open space, park community garden, etc.

One complication to a potential sale is that the property currently has an Institutional future land use designation and Public Quasi-Public (PQP) zoning. There are very limited private development options given these land use designations that are in place due to the City's previous use of the property for construction staging and as an electric utility storage yard.

The property is adjacent to the David Weekly townhouse development, zoned R-2 and the one story Grant Chapel building, zoned O-2. The property borders the FDOT railroad tracks. Across Comstock Avenue is single family R-1A zoning. In looking at the location of the property and based upon advice from the City's real estate broker, the staff recommendation as well as that from the City's real estate broker is to change the future land use designation to low density residential and R-2 zoning. He said that if the City Commission decides to sell the Blake Yard property then the Staff Recommendation is as follows:

1. APPROVAL of the request to change the Comprehensive Plan future land use designation to Low Density Residential at 301 West Comstock Avenue;
2. APPROVAL of the change of Zoning on the same property to Low Density Residential (R-2).

Mr. Briggs responded to Board member questions and concerns.

Forest Micheal, 358 West Comstock Avenue, presented his concept for the Hannibal Market Garden to be located on the subject property. He presented a petition signed by 35 neighbors and some community green vendors. He noted that the plan has been presented to the City's Transportation Advisory Board, KWPB and Sustainability Advisory Board, the Parks and Recreation Advisory Board. In addition, the following community organizations: Hannibal Square Community Land Trust, Hannibal Square Heritage Center, the Winter Park Historical Association and Casa Feliz. The concept proposes to use the subject property for open space, connectivity and part of the "trail head".

The following people spoke in favor of the R-2 zoning: Morgan Bellows, 335 West Comstock Avenue; and Dan Bellows, 400 West Comstock Avenue.

No one else wished to speak concerning the request. Public Hearing closed.

The Planning and Zoning Board members were split on this matter. Commissioners J. Johnston, Sacha, Slocum and R. Johnston felt that the property was ill suited for a park or community garden at the dead end of Comstock Avenue, next to the railroad and with limited access and visibility. They preferred that if more parkland was a priority that the money from the sale be used to purchase a property with a better location. Commissioners Gottfried, De Ciccio and Hahn felt that the property was well suited for open space or some type of parkland. They did not feel that the City should sell this land asset unless the sale was directly tied to the purchase of another compensating property.

**Motion made by Mr. J. Johnston, seconded by Mr. Slocum to approve the request to amend the Comprehensive Plan Future Land Use Map from Institutional future land use designation to a low density residential future land use designation on the “Blake Yard” property at 301 West Comstock Avenue. A roll call vote was taken and the Board voted as follows: Commissioners Sacha, R. Johnston, Slocum, J. Johnston voted yes. Commissioners Gottfried Hahn and De Ciccio voted no. Motion carried with a 4-3 vote.**

**Motion made by J. Johnston, seconded by Mr. Slocum to approve the request to amend the official zoning map from Public, Quasi-Public (PQP) zoning to Low Density residential (R-2) on the vacant “Blake Yard” property at 301 West Comstock Avenue. A roll call vote was taken and the Board voted as follows: Commissioners Sacha, R. Johnston, Slocum, J. Johnston voted yes. Commissioners Gottfried Hahn and De Ciccio voted no. Motion carried with a 4-3 vote.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF INSTITUTIONAL TO LOW DENSITY RESIDENTIAL DESIGNATION ON THE PROPERTY AT 301 WEST COMSTOCK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

**WHEREAS**, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

**WHEREAS**, this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

**WHEREAS**, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on November 1, 2016, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

**WHEREAS**, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on November 28, 2016 and December 12, 2016 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

**SECTION 1.** That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of institutional to low density residential on the property at 301 West Comstock Avenue, more particularly described as follows:



LOT 3 (LESS N 125 FT) & LOT 9, BLOCK 68 PER THE REVISED MAP OF THE TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK "A", Pages 67-72 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 05-22-30-9400-68-031

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

**SECTION 4. Effective Date.** An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Mayor

\_\_\_\_\_  
Mayor Steve Leary

Attest:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE PUBLIC QUASI-PUBLIC (PQP) DISTRICT ZONING TO LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING ON THE PROPERTY AT 301 WEST COMSTOCK AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS,** the owners of property at 301 West Comstock Avenue have requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

**WHEREAS,** the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their November 1, 2016 meeting; and

**WHEREAS,** the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

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

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

**SECTION 1. Official Zoning Map Amendment.** That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Public, Quasi-Public (PQP) District to Low Density Residential (R-2) District zoning on the property at 301 West Comstock Avenue, more particularly described as follows:

LOT 3 (LESS N 125 FT) & LOT 9, BLOCK 68 PER THE REVISED MAP OF THE TOWN OF WINTER PARK, AS RECORDED IN PLAT BOOK "A", Pages 67-72 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

Property Tax ID # 05-22-30-9400-68-031

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

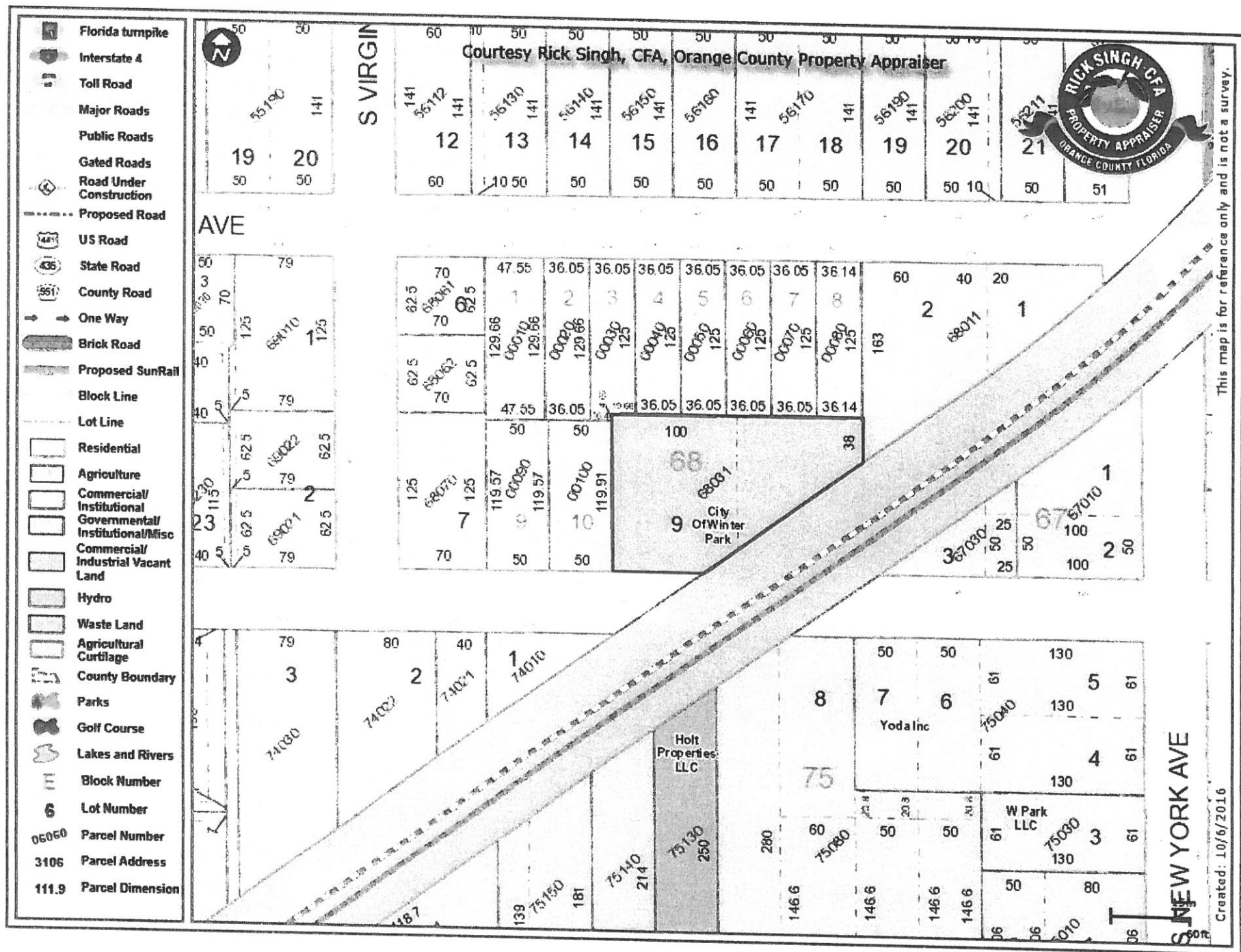
**SECTION 4. Effective Date.** This Ordinance shall become effective upon the effective date of Ordinance \_\_\_\_\_. If Ordinance \_\_\_\_\_ does not become effective, then this Ordinance shall be null and void.

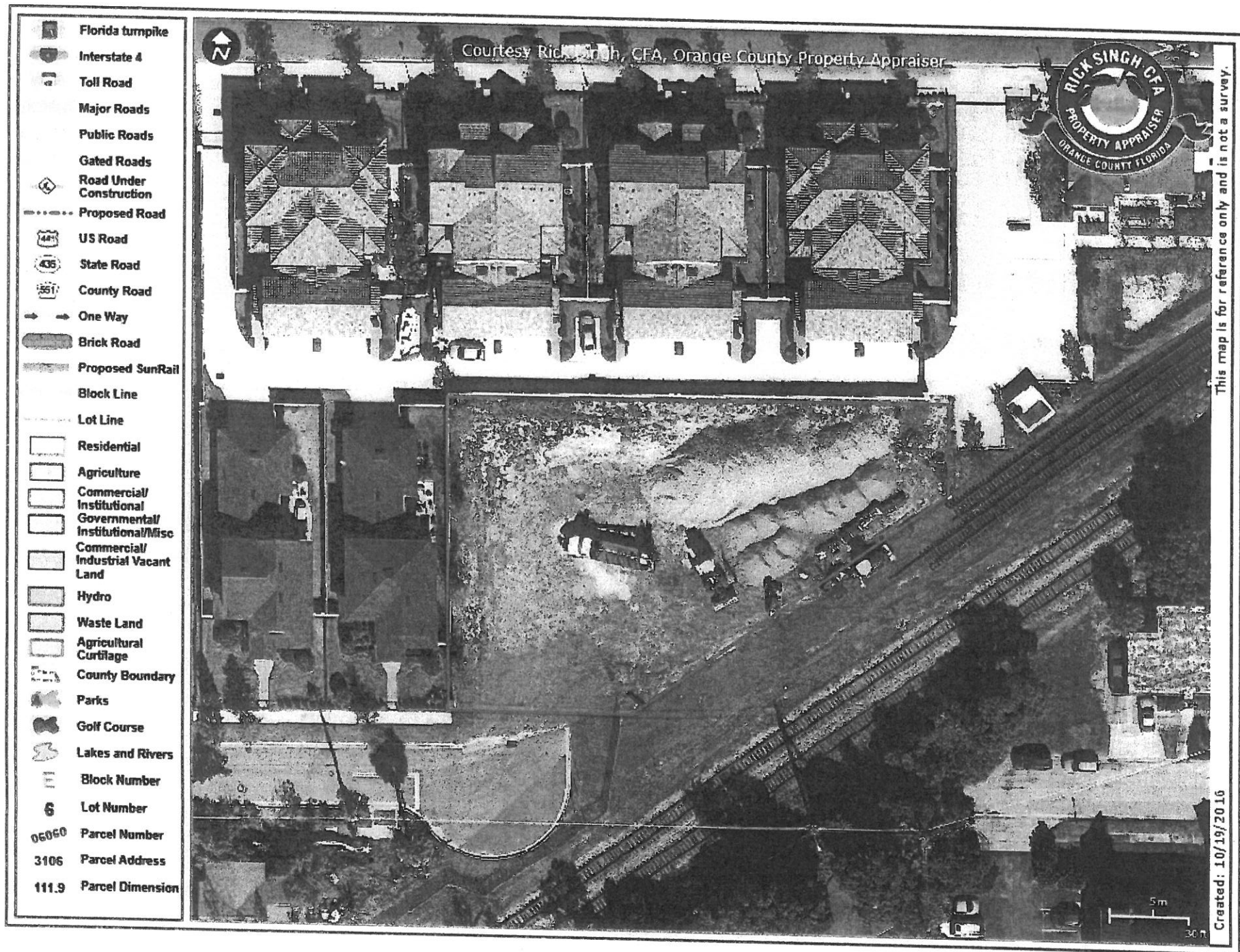
**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor Steve Leary

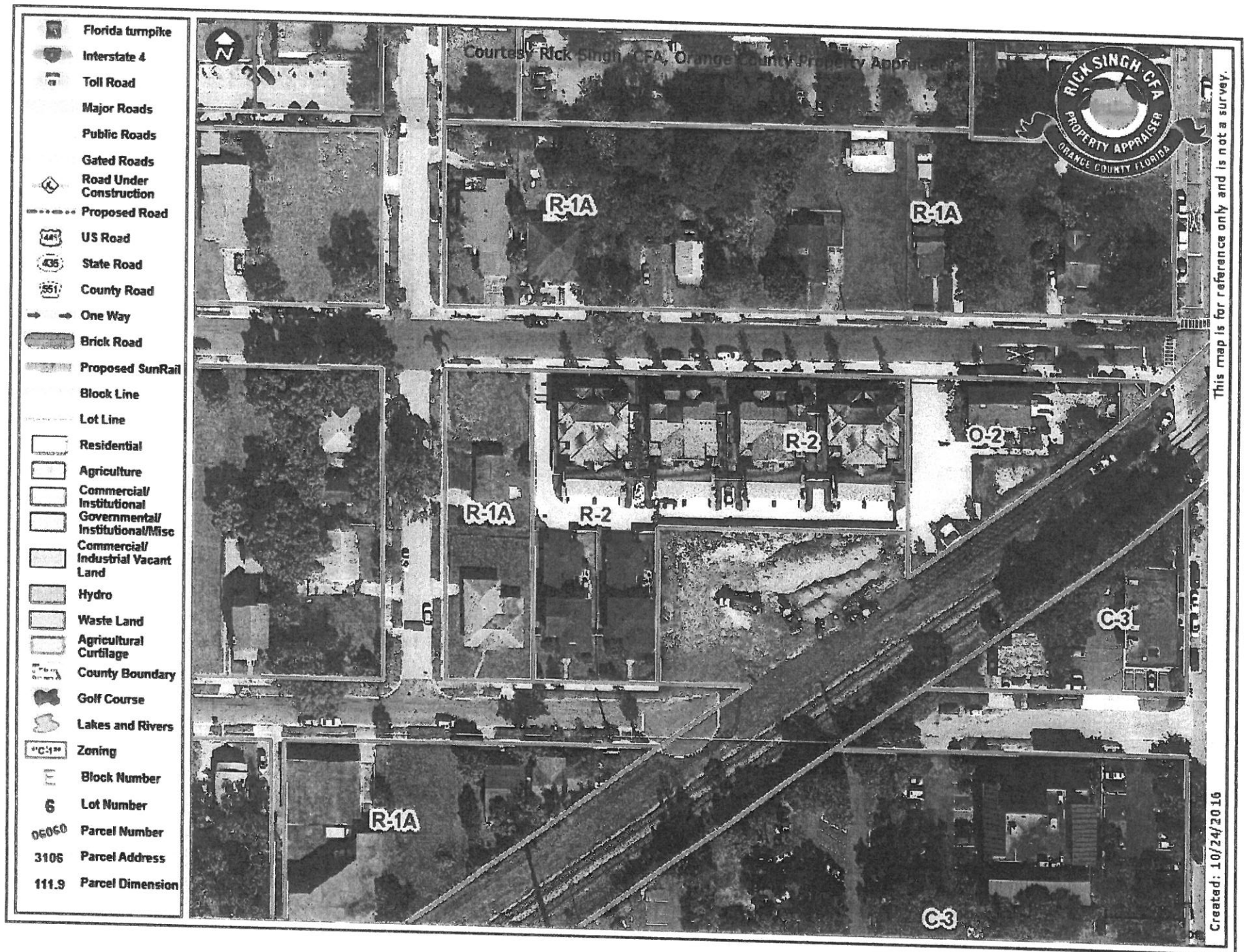
Attest:

\_\_\_\_\_  
City Clerk











# city commission public hearing

Item type	Public Hearing	meeting date	November 28, 2016		
prepared by	Jeff Briggs	approved by	<input checked="" type="checkbox"/> City Manager		
department	Planning and Community		<input checked="" type="checkbox"/> City Attorney		
division	Development		<input type="checkbox"/> N/A		
board approval	Planning and Zoning Board	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A	7-0	final vote	
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life. <input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character. <input type="checkbox"/> Enhance city's brand through flourishing arts and culture. <input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

**Subject: Request for Future Land Use/Zoning Change and Preliminary Conditional Use for the MDM Hotel project at 655 W. Morse Boulevard.**

WFG Ltd. (Property Owner) is requesting the following:

1. Changing the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 9,575 square feet of property on Symonds Avenue;
2. Changing the Zoning on the same 9,575 square feet of property from Low Density Residential (R-2) to Commercial (C-3); and
3. Conditional Use approval to construct a three story hotel project of 120 rooms, 4,000 square foot restaurant, 4,900 square feet of meeting space and swimming pool amenity area utilizing the existing three story parking garage.

**Planning and Zoning Board Recommendation:**

**Motion made by Mr. Gottfried seconded by Mr. R. Johnston to Approve the request to amend the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial on the vacant property fronting on Symonds Avenue (as amended by the applicant). Motion carried unanimously with a 7-0 vote.**

**Motion made by Mr. Gottfried, seconded by Mr. R. Johnston to Approve the request to amend the official Zoning Map to change from Low Density Residential (R-2) to Commercial (C-3) on the vacant property fronting on Symonds Avenue (as amended by the applicant) Motion carried unanimously with a 7-0 vote.**

**Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the request for Preliminary Conditional Use to construct a three-story hotel to include approximately 120 rooms, a 4,000 square foot restaurant, 4,900 square feet of meeting space, a swimming pool amenity and utilizing the existing three-level parking garage. Motion carried unanimously with a 7-0 vote.**



**Summary:** When the Community Redevelopment Area was established in 1994, one of the primary goals was to encourage the redevelopment of West Morse Boulevard. The redevelopment of Morse Boulevard began in earnest in 1999 on this subject property at 655 W. Morse Blvd. with the redevelopment of the existing office buildings and parking garage at the NW corner of Morse and Pennsylvania. The zoning needed for that density and building setback, up close to the street, was the central business district, C-2 designation. A Development Agreement executed in November 2000 and there were two subsequent amendments in November 2007 and February 2012.

In the initial Development Agreement, the City had approved rezoning of some residential land and upgrading the density of the project via C-2 and in return the City gained certain commitments. One was that the development along the frontage of Morse Boulevard would be no higher than two stories. The second commitment was that residential development would occur by 2005 on the vacant land to the rear (north) along Symonds Avenue. As nothing has been built to honor that commitment, the Development Agreement says the development of the Pennsylvania/Symonds corner cannot be completed occur until the residential development is underway. Staff has asked there applicant for their intentions with respect to this commitment and has received affirmative verbal comments but no site plans or details.

The other important part of the Development Agreement and Amendments are the exhibits and text which permitted the construction of the existing "commercial" surface parking lot off of Symonds Avenue. The 2012 amendment refers to it as a "commercial" parking lot.

**Project Plans:** The plans submitted contemplate taking the existing two story office building at the Morse/Pennsylvania corner and converting that to hotel space. Then moving northward along Pennsylvania Avenue, new construction of three stories in height is proposed for the hotel going up to and around the corner of Pennsylvania and Symonds Avenues on the land now zoned commercial C-2. The dividing line between the existing commercially zoned land is 100 feet back from Pennsylvania Avenue. This request originally asked for the City to rezone from residential (R-2) to commercial (C-3) another 100 feet to the west along Symonds Avenue including some land behind encompassing 28,500 square feet in total. However, that request was amended by the applicant to just the eastern 50 feet, which is 9,575 square feet of land due to the Comprehensive Plan policies discussed later.

**Parking Analysis for the Project:** The hotel needs 120 spaces based on one space for each room. The restaurant is allocated one space for each 50 square feet for the 4,000 square feet which is 80 parking spaces. (Based on one space for each 3 seats those 80 spaces equate to 240 seats which fits exactly what 4,000 square feet can hold) The meeting room space of 4,900 square feet uses one space for each 350 square feet which is 14 spaces. That is the same criteria used for the Alford Inn. Lastly the existing remaining 14,000 square feet of office space at one per 250 requires 56 spaces. The total parking necessary is 270 spaces which is the exact number within the existing three level parking garage. The staff is comfortable with the allocation of parking for this project because when the peak needs of the hotel occur at night, the 56 spaces for the offices would be available.

**Comprehensive Plan Policy Guidance:** The Comprehensive Plan discourages changes both generally and specifically in Comprehensive Plan future land use element, as was originally requested by the applicant. These policies indicate that the City's desire is to maintain residential neighborhoods, as follows:

**OBJECTIVE 1-3.5: PROTECT ESTABLISHED RESIDENTIAL NEIGHBORHOODS FROM ENCROACHMENT OF NON-RESIDENTIAL USES.** The City shall discourage nonresidential intrusions into established residential neighborhoods and areas, and shall discourage such changes in land use designations.

**Policy 1-3.5.1: Criteria for Managing Encroachment of Nonresidential Uses into Established Residential Neighborhoods.** The City shall require that any change in land use designation from residential to nonresidential comply with all of the following:

1. That this change shall not be a precedent toward other similar applications for change requesting similar land use as a matter of equity or fairness;
2. That the change can be demonstrated to be in the best interests of the City at large;
3. That the change can be demonstrated to be in the best interests of the adjacent residential area;
4. That residential use of the property is no longer a viable use.

#### **Planning Area H: Hannibal Square Neighborhood**

**Policy 1-4.1.H.1: Discourage Non-Residential Encroachments into Residential Sections.** The City shall discourage non-residential and high-density residential encroachments into low density residential areas of this neighborhood planning area.

**Policy 1-4.1.H.7: Non-Residential Use on Certain Segments of New England Avenue and Symonds Avenue.** Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.

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

**Staff Analysis of the Comprehensive Plan Future Land Use Request and Rezoning:** As indicated above in yellow, the planning staff believes that Comprehensive Plan Policy H-7 is absolutely enforceable except for land area of the existing paved "commercial" parking lot area and required buffer area. Thus, the western 50 feet of Lot 2 is essentially prohibited by this Comprehensive Plan Policy H-7 from a future land use change to commercial but not the eastern 50 feet of Lot 2 because it is already developed with a "commercial" parking lot per the 2012 Development Agreement amendment. The applicant has agreed with the staff and amended there request for only the eastern 50 feet that now holds the "commercial" parking lot.

**Staff Analysis of the Conditional Use:** The major issue for the planning staff was the height and scale of the hotel building on Symonds Avenue as a residential street. This hotel building location is adjacent to and across the street from one and two story single family homes. Thus, from the planning staff's perspective, the western end of the hotel needs to stop at the point where the Comprehensive Plan Policy H-7 says to go no further. In that way there is a 50 foot separation of the hotel from the closest home.

**Planning and Zoning Board Summary:** The P&Z Board agreed that a quality boutique hotel on this site would be a wonderful addition to the City. The Board complimented the applicant's on their compromise on the amount of land to be changed to commercial in recognition of the Comprehensive Plan Policy H-7. There was also agreement that the architecture of the project is very attractive, there is ample parking and the land involved is designated or has been used for "commercial" purposes.

This is the Preliminary Conditional Use stage and the P&Z Board understood that the revised plans would return as modified for the reduced land area with the Final Conditional Use review. Thus, the P&Z Board had the assurance that the City would review and approve the final plans and see further design details to insure compatibility with the adjacent residential neighborhood.

### **Planning and Zoning Board Minutes – Nov. 1, 2016:**

**REQUEST OF W F G LTD. TO:** AMEND THE "COMPREHENSIVE PLAN" FUTURE LAND USE MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL FUTURE LAND USE DESIGNATION ON THE VACANT PROPERTY FRONTING ON SYMONDS AVENUE (FORMER 620/630 SYMONDS AVENUE).

**REQUEST OF W F G LTD. TO:** AMEND THE OFFICIAL ZONING MAP TO CHANGE FROM LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON THE VACANT PROPERTY FRONTING ON SYMONDS AVENUE (FORMER 620/630 SYMONDS).

**REQUEST OF W F G LTD. FOR:** CONDITIONAL USE APPROVAL TO CONSTRUCT A THREE STORY BUILDING OF APPROXIMATELY 70,000 SQUARE FEET IN SIZE TO INCLUDE A PROPOSED HOTEL OF APPROXIMATELY 120 ROOMS, A 4,000 SQUARE FOOT RESTAURANT, 4,900 SQUARE FEET OF MEETING SPACE, A SWIMMING POOL AMENITY AND LANDSCAPED GARDENS UTILIZING THE EXISTING 3-LEVEL PARKING GARAGE AND PROVIDING FOR CERTAIN EXCEPTIONS AND FOR THE APPROVAL OF A DEVELOPERS AGREEMENT, IF REQUIRED.

Planning Manager Jeffrey Briggs presented the staff report. The applicant, WFG Ltd. (Property Owner), is requesting the following:

1. Changing the Comprehensive Plan future land use designation of Low Density Residential to Commercial on 9,575 square feet of property on Symonds Avenue;
2. Changing the Zoning on the same 9,575 square feet of property from Low Density Residential (R-2) to Commercial (C-3); and
3. Conditional Use approval to construct a three story hotel project of 120 rooms, 4,000 square foot restaurant, 4,900 square feet of meeting space and swimming pool amenity area utilizing the existing three story parking garage.

Mr. Briggs discussed the history of the Community Redevelopment Area and the development history of the subject property along with the Development Agreement executed in November 2000 and the two subsequent amendments in November 2007 and February 2012. The 2012 amendment refers to the existing surface parking lot off of Symonds Avenue it as a "commercial" parking lot. He discussed the project plans, parking, and land development code and comprehensive plan policies, and the conditional use. The major issue for the planning staff was the height and scale of the hotel building on Symonds Avenue as a residential street. This hotel building location is adjacent to and across the street from one and two story single family homes. Thus, from the planning staff's perspective, the western end of the hotel needs to stop at the point where the Comprehensive Plan Policy H-7 says to go no further. In that way there is a 50 foot separation of the hotel from the closest home.

Attorney Rebecca Wilson, 215 North Eola Avenue, used a Power Point presentation to give details of the proposed project. She stated that the applicant was in support of the staff recommendation and was amending their request for the future land use change and rezoning to just the eastern 50 feet of Lot 2 where the “commercial” parking lot is located. She discussed history of the subject property, parking requirements, employment and the hotel needs analysis. She requested that the Board:

1. Approve 50 feet on Symonds Avenue to C-3/Commercial (over existing commercial parking lot)
2. Approve Preliminary CUP for MDM Hotel building limited to eastern 50 feet of Lot 2
3. Confirm that the plans for four residential units would be under construction on Symonds prior to Hotel Certificate of Occupancy, per the 2000 Development Agreement.

The following people addressed the Board concerning the request: Bob Cambric, representing Mary Daniels, 650 West Canton Avenue; Lurline Fletcher, 811 English Court; Joseph Jackson, 710 Symonds Ave; Forrest Michael, 358 West Comstock Avenue; Martha Bryant-Hall, 331 West Lyman Avenue. The residents expressed opposition to the third story and the size of the mass of the proposed structure, the commercial creep into the residential neighborhood; and noise. They requested that the applicant consider partnering with the Hannibal Square Community Land Trust to keep the homes that will be constructed on the residential portion affordable and working with the neighbors for job creation for the residents of the Hannibal Square neighborhood. A letter was also submitted to the Board from Maria Bryant, 450 South Virginia Avenue that detailed her concerns regarding the project.

Attorney Wilson was allowed the opportunity to respond to the neighborhood concerns. Traffic on Symonds Avenue the surface lot will be taken away as the entrance is on Morse Boulevard. At this point, in the process it is too early to discuss employment, but expressed that they will make employment opportunities known when it is at that stage.

No one else wished to speak concerning the request. Public Hearing closed.

The Planning Board members discussed the request. The Planning Board agreed that a quality boutique hotel on this site would be a wonderful addition to the City. The Board complimented the applicant's on their compromise on the amount of land to be changed to commercial in recognition of the Comprehensive Plan Policy H-7. There was also agreement that the architecture of the project is very attractive, there is ample parking and the land involved is designated or has been used for “commercial” purposes. This is the Preliminary Conditional Use stage and the Board understood that the revised plans would return as modified for the reduced land area with the Final Conditional Use review. Thus, the Board had the assurance that the City would review and approve the final plans and see further design details to insure compatibility with the adjacent residential neighborhood.

**Motion made by Mr. Gottfried seconded by Mr. R. Johnston to Approve the request to amend the Comprehensive Plan Future Land Use Map from Low Density Residential to Commercial on the vacant property fronting on Symonds Avenue (as amended by the applicant). Motion carried unanimously with a 7-0 vote.**

**Motion made by Mr. Gottfried, seconded by Mr. R. Johnston to Approve the request to amend the official Zoning Map to change from Low Density Residential (R-2) to Commercial (C-3) on the vacant property fronting on Symonds Avenue (as amended by the applicant) Motion carried unanimously with a 7-0 vote.**

**Motion made by Mr. Gottfried, seconded by Mr. Sacha to approve the request for Preliminary Conditional Use to construct a three-story hotel to include approximately 120 rooms, a 4,000 square foot restaurant, 4,900 square feet of meeting space, a swimming pool amenity and utilizing the existing three-level parking garage. Motion carried unanimously with a 7-0 vote.**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58, "LAND DEVELOPMENT CODE", ARTICLE I "COMPREHENSIVE PLAN" FUTURE LAND USE MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO COMMERCIAL ON THE EAST HALF OF LOT 2, BLOCK H OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS,** the Winter Park City Commission adopted its Comprehensive Plan on February 23, 2009 via Ordinance 2762-09, and

**WHEREAS,** Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

**WHEREAS,** this Comprehensive Plan amendment meets the criteria established by Chapter 163 and 166, Florida Statutes; and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

**WHEREAS,** the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of the proposed Comprehensive Plan amendment, having held an advertised public hearing on November 1, 2016, provided for participation by the public in the process, and rendered its recommendations to the City Commission; and

**WHEREAS,** the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held advertised public hearings on November 28, 2016 and December 12, 2016 and provided for public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process.

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

**SECTION 1.** That Chapter 58 "Land Development Code", Article I, "Comprehensive Plan" future land use plan map is hereby amended so as to change the future land use map designation of Low Density Residential to Commercial on the East Half of Lot 2, Block H, Capen's Addition to Winter Park, fronting on Symonds Avenue, more particularly described as follows:



THE EAST HALF OF LOT 2, (LESS THE SOUTH 25 FEET THEREOF) IN BLOCK H PER THE PLAT OF CAPENS ADDITION TO WINTER PARK, AS RECORDED IN PLAT BOOK "A", PAGE 95 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

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

**SECTION 4. Effective Date.** An amendment adopted under this paragraph does not become effective until 31 days after adoption. If timely challenged, an amendment may not become effective until the state land planning agency or the Administration Commission enters a final order determining that the adopted small scale development amendment is in compliance.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Mayor

\_\_\_\_\_  
Mayor Steve Leary

Attest:

\_\_\_\_\_  
City Clerk

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE LOW DENSITY RESIDENTIAL (R-2) DISTRICT ZONING TO COMMERCIAL (C-3) DISTRICT ZONING ON THE EAST HALF OF LOT 2, BLOCK H, OF CAPEN'S ADDITION TO WINTER PARK SUBDIVISION ON SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS,** the owners requested a Zoning map amendment consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

**WHEREAS,** the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their November 1, 2016 meeting; and

**WHEREAS,** the City Commission of the City of Winter Park held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder; and

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

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

**SECTION 1. Official Zoning Map Amendment.** That Chapter 58 "Land Development Code", Article III, "Zoning" and the Official Zoning Map is hereby amended so as to change the zoning designation of Low Density Residential (R-2) District to Commercial (C-3) District zoning on the East Half of Lot 2, Block H, Capen's Addition to Winter Park, fronting on Symonds Avenue, more particularly described as follows:

THE EAST HALF OF LOT 2, (LESS THE SOUTH 25 FEET THEREOF) IN BLOCK H PER THE PLAT OF CAPENS ADDITION TO WINTER PARK, AS RECORDED IN PLAT BOOK "A", Page 95 OF THE PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

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

**SECTION 4. Effective Date.** This Ordinance shall become effective upon the effective date of Ordinance \_\_\_\_\_. If Ordinance \_\_\_\_\_ does not become effective, then this Ordinance shall be null and void.

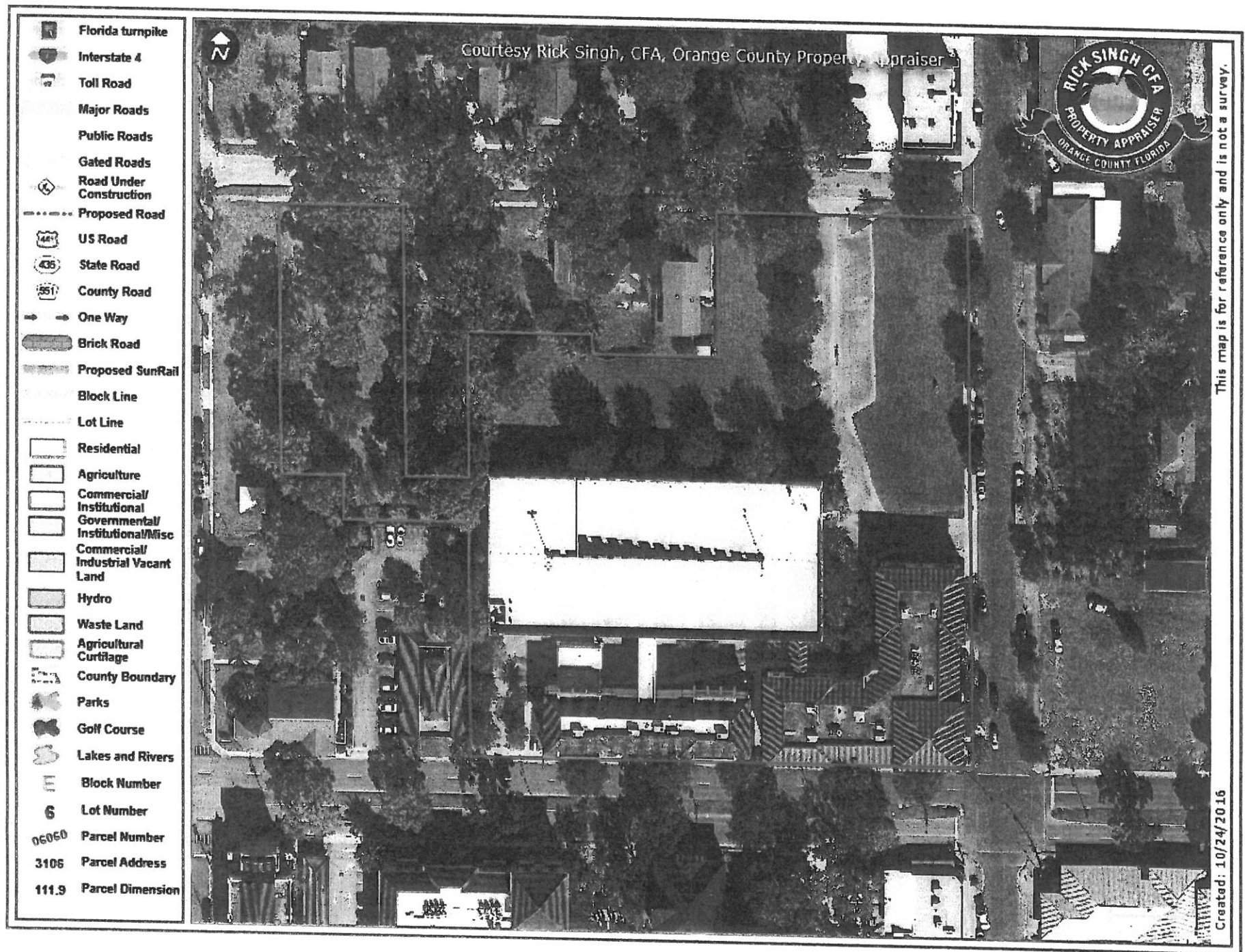
**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Mayor Steve Leary

Attest:

\_\_\_\_\_  
City Clerk







# OCPA Web Map



Major Roads  
Public Roads  
Gated Roads  
Road Under Construction

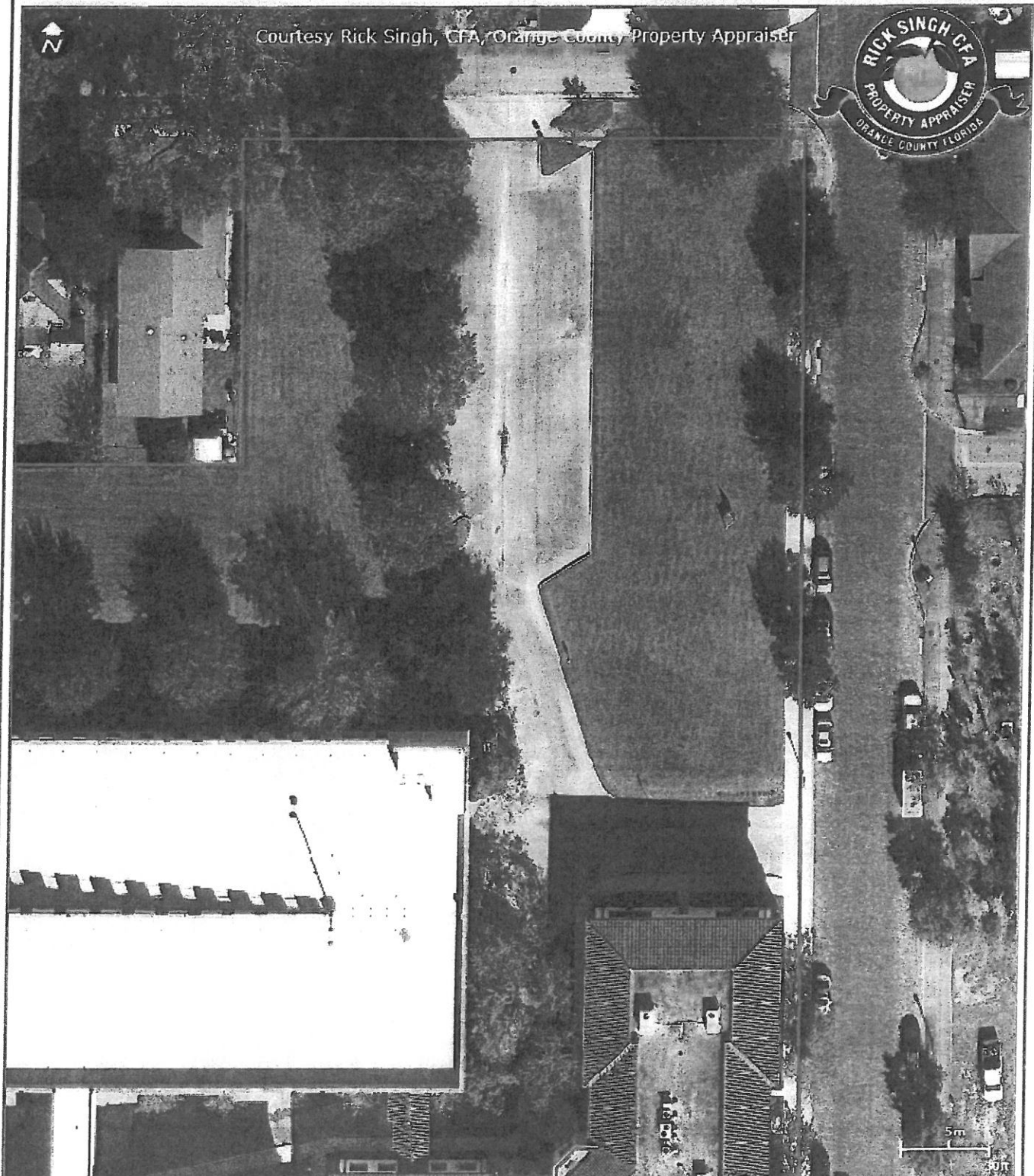
Proposed Ros  
Brick Road  
Block Line  
Lot Line

Residential  
Agriculture  
Commercial/Institutional  
Governmental/Institutional/Religious

Commercial/Industrial/Vacant Land  
Agricultural Corridor  
Hydro  
Waste Land

Parks  
Lakes and Rivers  
Building  
Block Number

6 Lot Number  
06060 Parcel Number  
3106 Parcel Address  
111.9 Parcel Dimension



Courtesy Rick Singh, CFA, Orange County Property Appraiser



Created: 10/20/2016

This map is for reference only and is not a survey.

**THIS INSTRUMENT PREPARED  
BY AND RETURN TO:**

**C. Brent McCaghren, Esquire  
Winderweedle, Haines, Ward  
& Woodman, P.A.  
Post Office Box 880  
Winter Park, Florida 32790**

**DEVELOPER'S AGREEMENT**

28th THIS DEVELOPER'S AGREEMENT (the "Agreement") is made and entered into this day of NOVEMBER, 2000, by and between the CITY OF WINTER PARK, a political subdivision of the State of Florida (the "City"), 401 Park Avenue South, Winter Park, Florida 32789, and W.F.G., LTD., a Florida limited partnership (referred to as the "Developer"), Post Office Box 350, Winter Park, Florida 32790-0350.

**RECITALS:**

- A. Developer is the Owner of that property located at <sup>655</sup>610 West Morse Boulevard, Winter Park, Florida, consisting of approximately 3.5 acres, commonly known as the NW corner of Morse Boulevard and Pennsylvania Avenue (hereinafter referred to as the "Property") as is more particularly described on Exhibit "A", which is attached hereto and incorporated herein by reference.
- B. Developer desires to develop the Property in accordance with the master development site plan as depicted on Exhibit "B", which is attached hereto and incorporated herein by reference.
- C. Developer and the City desire to preserve the residential character of Symonds Avenue lying adjacent to the Property.
- D. Developer has agreed to construct the residential improvements on Symonds Avenue, which residential improvements shall face Symonds Avenue and shall conform to residential zoning and other city codes, as may be approved.
- E. The commercial improvements to be constructed by Developer will create four (4) commercial buildings totaling approximately 60,000 square feet and one (1) parking structure (collectively the "Buildings").

F. Developer and the City have agreed to enter into this Agreement regarding certain matters relating to the Buildings and the development of the Property.

NOW THEREFORE, for and in consideration of the terms and conditions of this Agreement and the mutual covenants set forth herein, and for other good and valuable consideration, the City and the Developer agree as follows:

1. The foregoing recitals are true and correct and incorporated herein.
2. In connection with the construction of exterior improvements to the Buildings by the Developer, the Developer agrees as follows:
  - (a) To follow and adhere to the Morse Boulevard facade guidelines, as may now exist or hereafter be in existence at the time of permitting;
  - (b) The two (2) commercial buildings fronting on Morse Boulevard shall not exceed two stories;
  - (c) The two (2) commercial buildings fronting on Pennsylvania Avenue shall be two stories with the Developer having the right to request the addition of a third floor to each of these buildings for residential purposes only, subject to all required land use approvals including but not limited to a subsequent conditional use approval by the City;
  - (d) The parking structure shall not exceed three (3) levels and shall not extend any taller than the commercial Buildings;
  - (e) The exterior elevations of the parking structure shall meet or exceed the design standards as set by the Park Avenue Rollins Project.
3. This Agreement is subject to the Developer obtaining the necessary building permits for the construction of improvements to the Property and the Buildings as contemplated herein. The City agrees to issue such building permits subject only to the normal requirements that the plans for such construction comply with the applicable codes of the City, including land development and building codes then in effect and fire and life safety codes. To the extent that there are any inconsistencies between the specific agreements contained herein and any such requirements, the terms of this Agreement shall control.
4. This Agreement provides for the construction of a three level parking structure, bank drive thru lanes, four (4) commercial buildings over 10,000 square feet, rezoning approximately 8,000 square feet of R-2 zoned land to C-2 as shown on the attached site plan and the construction of a parking area and driveway exiting onto Symonds Avenue, as shown on Exhibit "B".

5. The City and Developer agree to the following:

(a) Within six (6) months from the date of this Agreement, the Developer, together with joinders, subordinations, or consents of all other necessary parties shall provide to the City an easement of approximately 8,000 square feet of land (40' x 200') located on the North side of 303 North Pennsylvania Avenue (formerly the Lewis property) which abuts the City-owned Canton Apartment land in order to provide access from Pennsylvania Avenue through the former Lewis property to the City owned Canton Apartment land. The legal description and location of the easement shall be determined by the City's surveyor and the easement shall be in form and substance mutually acceptable to the City and Developer.

By 11/28/03  
(b) The City shall at its sole cost and expense construct a road on said easement in substantial accordance with the attached site plan marked Exhibit "C". The City shall maintain at all times at its expense the road and easement. The City agrees to construct the easement roadway within three (3) years from the date of this Agreement.

CO date = 12/1/00  
(c) The Developer agrees to begin residential development of the remaining approximate 1.98 acres fronting along Symonds Avenue as described on Exhibit "D" attached hereto within three (3) years of completing and obtaining a Certificate of Occupancy for either the parking garage or Building One (1), whichever first occurs (the "C.O. Date") and completing the residential project within five (5) years of the C.O. Date. The City may withhold building permits for Buildings Three (3) and Four (4) until the Developer begins construction of the residential units along Symonds Avenue in accordance with plans submitted to, reviewed by, and approved by the City, which review and approval shall include the number of residential units to be constructed.. The City may withhold certificates of occupancy for Buildings Three (3) and Four (4) until the Developer has substantially completed the residential units and certificates of occupancy have been issued for said residential units.

6. Each party to this Agreement represents and warrants to the other that it has all necessary power and authority to enter into and consummate the terms and conditions of this Agreement and that all acts, approvals, procedures and similar matters required in order to authorize this Agreement have been taken, obtained or followed, as the case may be, and upon the execution of this Agreement by both parties, this Agreement shall be valid and binding upon the parties hereto and their successors in interest.

7. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

8. This Agreement may only be amended or terminated by a written agreement executed by all parties hereto or by their successors in interest.

9. This Agreement and the terms and conditions hereof shall be binding upon and inure to the benefit of the City, Developer and their respective successors in interest, and the terms and conditions shall be binding upon and inure to the benefit of the Property.

10. This Agreement may be recorded by the City, at the Developer's expense, among the Public Records of Orange County, Florida.

11. If any provisions of this Agreement are held to be illegal or invalid, the other provisions of this Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed as of the day and year first above written.

Signed, Sealed and Delivered in  
the Presence of:

Cynthia A. Bonham  
Print Name Cynthia S. Bonham

Linda T. Seaman  
Print Name Linda T. Seaman

Nan O'Bryant  
Print Name Nan O'Bryant

Jodie G. Murphy  
Print Name Jodie G. Murphy

CITY OF WINTER PARK, a political  
subdivision of the State of Florida

By [Signature]  
Name: Roland F. Hotard, III  
As its: Mayor

Date: November 28, 2000

W.F.G., Ltd., a Florida limited partnership

By: Welbourne Ave. Corp., a Florida  
corporation

By: Robert Saltzman  
Name: Robert Saltzman  
As its: President

Date: 11/6/00



## **EXHIBIT "A"**

Lots 1, 2, 4, 9, 10, 11 and 12, Block H; the North 35 feet of Lot 8, Block H; the West 50 feet of Lot 5, Block H; the West 50 feet and the South 100 feet of the East 50 feet of Lot 3, Block H; all in CAPENS ADDITION TO WINTER PARK, according to the Plat thereof as recorded in Plat Book A, Page 95, Public Records of Orange County, Florida.

Exhibit "B"

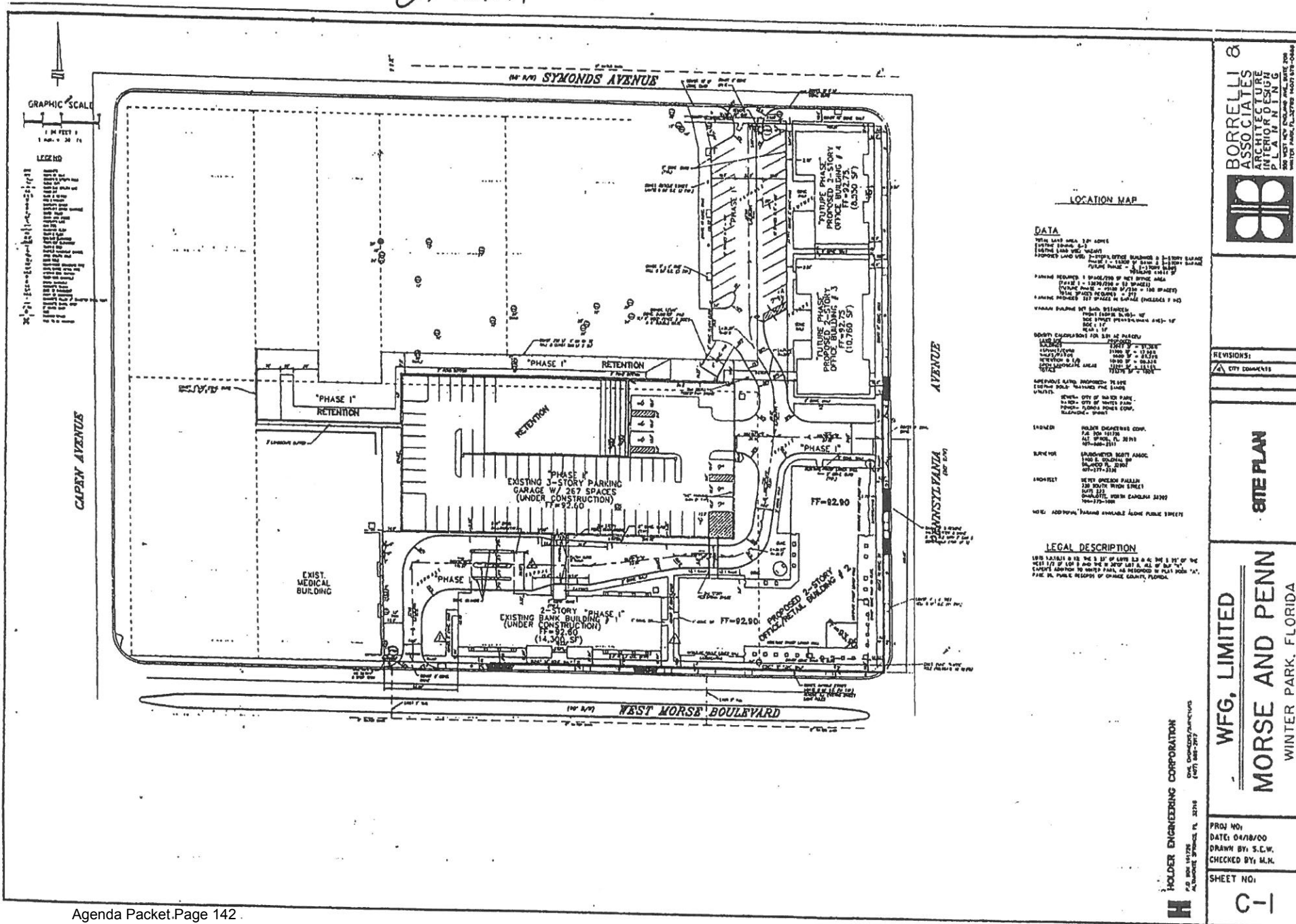


EXHIBIT "C"

LEGAL DESCRIPTION OF EASTMENT:

THE NORTH 40 FEET OF LOTS 11 &  
12 BLOCK E, CAPENS ADDITION TO  
WINTER PARK AS RECORDED IN PLAT  
BOOK "A", PAGE 95


ENGLISH CT

MIXED-USE  
BUILDING

PENNsylvania Ave

10/26/99	PER DRUGS
HANNIBAL SQUARE	

WINTER PARK  
HANNIBAL SQUARE  
URBAN DEVELOPMENT

	<b>City of Windsor Park</b> 421 Park Avenue South Windsor Park, Florida 32789 Telephone (407) 683-5192		APPROVED BY: _____ DATE: _____
	REVIEWED BY: _____ DATE: _____	REVIEWED BY: _____ DATE: _____	REVIEWED BY: _____ DATE: _____

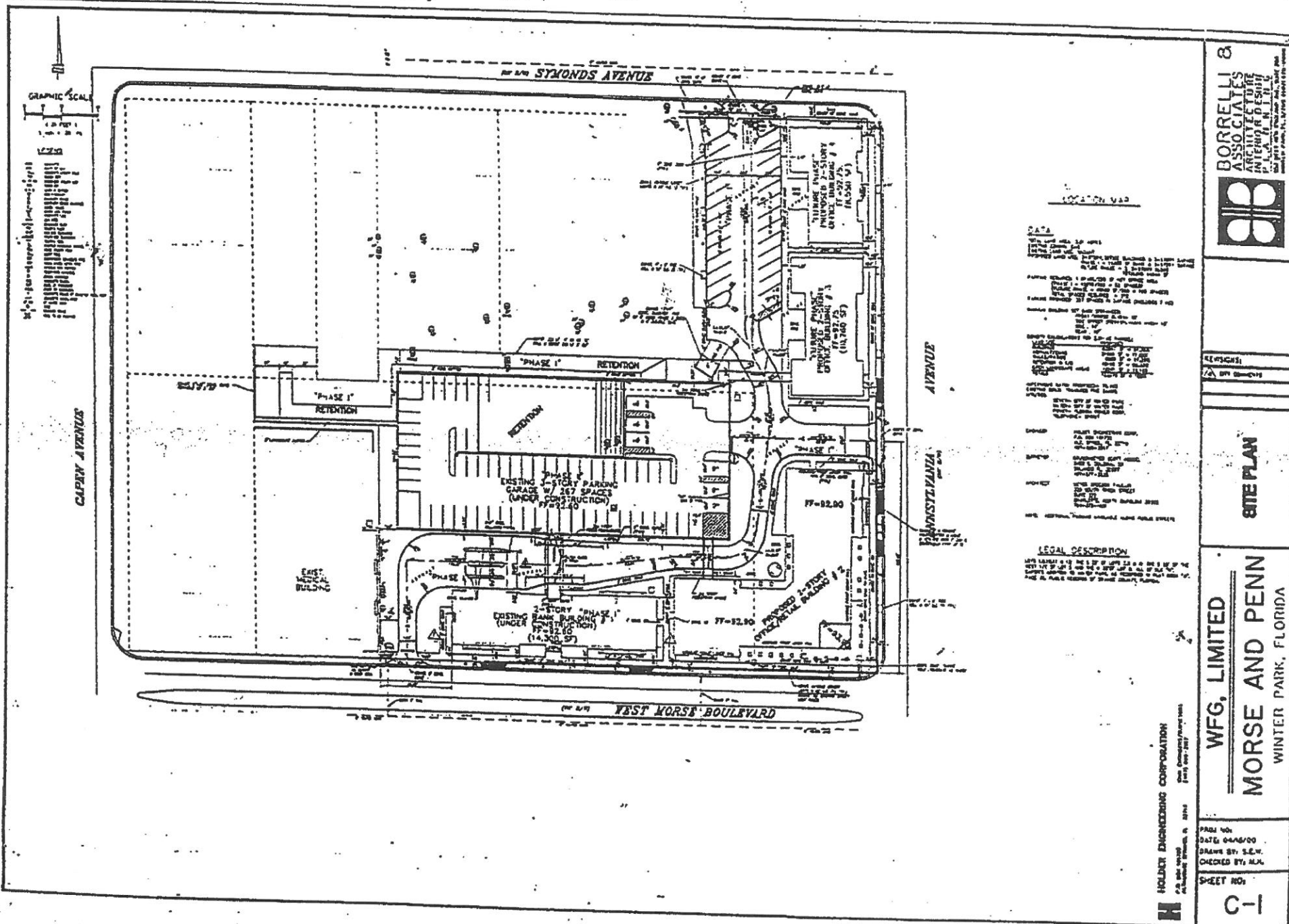
[illegible]

A-1

## **EXHIBIT "D"**

Lot 2; the West 1/2 of Lot 3 (less the South 25 feet); the South 100 feet of the East 1/2 of Lot 3 (less the South 25 feet); Lot 4 (less the South 25 feet); and the West 1/2 of Lot 5 (less the South 25 feet); all in Block H, CAPENS ADDITION TO WINTER PARK, according to the Plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

Exhibit "B"





# EXHIBIT "C"

## LEGAL DESCRIPTION OF EASTMENT:

THE NORTH 40 FEET OF LOTS 11 &  
12 BLOCK E, CAPENS ADDITION TO  
WINTER PARK AS RECORDED IN PLAT  
BOOK "A", PAGE 95

ENGLISH CT

MIXED-USE  
BUILDING

PENNSYLVANIA AVE

<p>WINTER PARK HANNIBAL SQUARE URBAN DEVELOPMENT</p>	<p>WINTER PARK HANNIBAL SQUARE URBAN DEVELOPMENT</p>
<p>City of Winter Park 2000 West Main Street Winter Park, CO 80196 Phone: 303.838.0000</p>	<p>City of Winter Park 2000 West Main Street Winter Park, CO 80196 Phone: 303.838.0000</p>
<p>APR 14/17</p>	<p>APR 14/17</p>
<p>A-1</p>	<p>A-1</p>

# **EXHIBIT "D"**

Lot 2; the West 1/2 of Lot 3 (less the South 25 feet); the South 100 feet of the East 1/2 of Lot 3 (less the South 25 feet); Lot 4 (less the South 25 feet); and the West 1/2 of Lot 5 (less the South 25 feet); all in Block H, CAPENS ADDITION TO WINTER PARK, according to the Plat thereof as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

**ORDINANCE NO. 2338**

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III "ZONING" AND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING DESIGNATION OF LOW DENSITY RESIDENTIAL (R-2) DISTRICT TO CENTRAL BUSINESS (C-2) DISTRICT ON THE REAR (SOUTH) TWENTY-FIVE FEET OF THE PROPERTY AT 712, 672, 664, 660, 656, 630 AND 620 SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.**

(ZMA 5:99)

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

**SECTION 1.** That pursuant to Section 58-85 thereof, Article III "Zoning" and the Official Zoning Map is hereby amended and modified by changing the existing zoning designation of Low Density Residential (R-2) District to Central Business (C-2) District on the south 25 feet of the properties at 712, 672, 664, 660, 656, 630 and 620 Symonds Avenue, more particularly described as follows:

The south 25 feet of Lots 2, 3, 4 and the west half of Lot 5, Block H, Capens Addition to Winter Park as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

**SECTION 3.** All ordinances or portions or ordinances in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall become effective upon the adoption by the City Commission of a Development Agreement between the City of Winter Park and the property owner specifying the use of this property with respect to buildings, storm water retention and landscaping. If no such Development Agreement is approved by December 14, 2000 then this ordinance shall become null and void and the zoning shall revert to the previous Low Density Residential (R-2) designation.

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida on the 14th day of December, 1999.

ATTEST:

  
City Clerk

  
Mayor

ORDINANCE NO. 2337

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 LAND DEVELOPMENT CODE, ARTICLE I, "COMPREHENSIVE PLAN" AND THE FUTURE LAND USE PLAN MAP SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO CENTRAL BUSINESS DISTRICT ON THE REAR (SOUTH) TWENTY-FIVE FEET OF THE PROPERTIES AT 712, 672, 664, 660, 656, 630 AND 620 SYMONDS AVENUE, MORE PARTICULARLY DESCRIBED HEREIN.

(COMP 2:99)

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

**SECTION 1.** That pursuant to Section 58-6 thereof, Chapter 58 Land Development Code, Article I, "Comprehensive Plan" and the Future Land Use Plan Map is hereby amended and modified by changing the existing future land use designation of Low Density Residential to Central Business District on the south twenty-five feet of the properties at 712, 672, 664, 660, 656, 630 and 620 Symonds Avenue, more particularly described as follows:

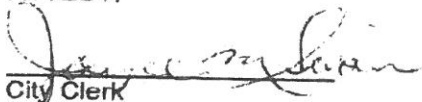
The south 25 feet of Lots 2, 3, 4 and the west half of Lot 5, Block "H", Capens Addition to Winter Park as recorded in Plat Book "A", Page 95, Public Records of Orange County, Florida.

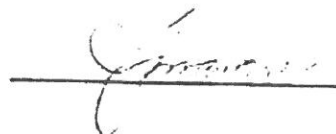
**SECTION 2.** All ordinances or portions of ordinances in conflict herewith are hereby repealed.

**SECTION 3.** This ordinance shall become effective upon the adoption by the City Commission of a Development Agreement between the City of Winter Park and the property owner specifying the use of this property with respect to buildings, storm water retention and landscaping. If no such Development Agreement is approved by December 14, 2000 then this ordinance shall become null and void and the future land use designation shall revert to the previous Low Density Residential designation.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida on the 14th day of December, 1999.

ATTEST:

  
City Clerk

  
Mayor

## DEVELOPER'S AGREEMENT AMENDMENT ONE

**THIS AMENDMENT NUMBER ONE TO THE DEVELOPER'S AGREEMENT** of November 28, 2000 ("Agreement") is made this 26 day of November, 2007, between the **CITY OF WINTER PARK, FLORIDA**, a Florida municipality ("City"), whose address is City Hall, Attention: Planning Department, 401 Park Avenue South, Winter Park, Florida 32789, and **W. F. G. LTD.**, a Florida limited partnership (referred to as the "Developer") whose address is Attention: Sydgan Corp., Post Office Box 350, Winter Park, Florida 32790:

### RECITALS

**WHEREAS**, the City and Developer desire to amend the existing Developer's Agreement made and entered into on November 28, 2000 in order to respond to changing economic conditions and to foster the redevelopment of this Property and surrounding parcels in concert with the City's CRA Plans.

**NOW, THEREFORE**, in consideration of the terms and conditions set forth herein, the parties agree as follows:

1. Section E of the Recitals is hereby deleted;
2. Section 2 (b) shall be amended to read "The two (2) commercial buildings fronting on Morse Boulevard shall not exceed two stories with the Developer having the right to request the addition of a third floor to each of these buildings for residential purposes only, subject to all required land use approvals including but not limited to a subsequent conditional use approval by the City";
3. Section 2 (c) shall be amended to read "The ~~two~~ (2) commercial building fronting on Pennsylvania Avenue shall not exceed ~~three~~ stories with the condition that the third floor shall be restricted for residential purposes only,



subject to all required land use approvals including but not limited to a subsequent conditional use approval by the City”;

4. Section 2 (d) is hereby amended to read as follows; “The parking garage shall not exceed ~~(3)~~ (5) levels and shall not extend any taller than the commercial buildings”;
5. Section 5 (c) is hereby amended by changing the last sentence to read as follows; “The City may withhold certificates of occupancy for the Buildings Three (3) and Four (4) at the corner of Pennsylvania and Symonds Avenues until the Developer has substantially completed the residential units.
6. Section 5 shall be amended by adding to it a new subsection 5 (d) to read as follows: “5 (d) The Developer agrees to begin residential development of the aforementioned land fronting on Symonds Avenue (on the portion within their ownership and control) at the same time as construction begins on the addition of the fourth and fifth levels of the parking garage. The City may withhold certificates of occupancy for the Fourth and Fifth levels of the Parking Garage until the Developer has substantially completed the residential units.”

**BINDING EFFECT:** This Agreement shall be binding upon Owner and its successors and assigns in interest and all other parties acquiring any interest in the Subject Property, and shall inure to the benefit of the City. Action to enforce this Agreement shall be agreed to be within the authority of the City’s Code Enforcement Board.

**AUTHORITY:** Each party represents and warrants to the other that it has all necessary power and authority to enter into and consummate the terms and conditions of this Agreement and that all acts, approvals, procedures and similar matters required in order to authorize this Agreement have been taken or followed, as the case may be, and that upon execution of this Agreement by both parties, this Agreement shall be valid and binding upon the parties hereto and their successors in interest.

**GOVERNING LAW:** This Agreement shall be governed by and construed in accordance with the laws of the State of Florida.

**SUCCESSORS AND ASSIGNS:** This Agreement and the terms and conditions hereof shall be binding upon and inure to the benefit of the City and the Developer and their respective successors in interest, and the terms and conditions of this Agreement similarly shall be binding upon the Property and shall run with title to the same.

**SEVERABILITY:** If any provisions of this Agreement are found to be illegal or invalid, the other provisions of this Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF,** the parties have caused these presents to be executed as of the date and year first above written.

Signed, sealed and delivered

in the presence of:

Signature

Print Name

Signature

Print Name

Signature

Print Name

Signature

Print Name

CITY OF WINTER PARK,  
FLORIDA

A municipal corporation

By:

It's Mayor

Date Executed:

W.F.G. LTD. a Florida limited  
partnership

Signature

Vice President of GP

Date Executed:

STATE OF FLORIDA  
COUNTY OF ORANGE

Acknowledged before me this 16 day of October 2007 by Daniel B. Bellows who  
is personally known to me or has produced \_\_\_\_\_ (type of  
identification) as identification.

Laura Mos  
Notary Public, State of Florida



Laura Mos  
My Commission DD314835  
Expires April 28, 2008

Print, Type or Stamp Commissioned Name of  
Notary Public

STATE OF FLORIDA  
COUNTY OF ORANGE

Acknowledged before me this 28 day of November 2007, by David Strong as  
Mayor of the City of Winter Park, Florida, a municipal corporation, who is personally  
known to me or has produced \_\_\_\_\_ (type of identification)  
as identification and he acknowledged that he executed the above document for the City.

Michelle Gervy  
Notary Public, State of Florida



Print, Type or Stamp Commissioned Name of  
Notary Public

## DEVELOPER'S AGREEMENT AMENDMENT TWO

THIS AMENDMENT NUMBER TWO TO THE DEVELOPER'S AGREEMENT of November 28, 2000 ("Developer's Agreement"), which was approved by a majority vote of the City Commission on February 13, 2012, and is effective as of the date of the last signature affixed below, is entered into between the **CITY OF WINTER PARK, FLORIDA**, a Florida municipal corporation ("City"), with an address of City Hall, Attention: Planning Department, 401 Park Avenue South, Winter Park, Florida 32789-4386; and **W.F.G., LTD**, a Florida limited partnership, ("Developer"), with a principal address of, Attention: SYDGAN Corporation, 558 West New England Avenue, Suite 220, Winter Park, Florida 32789, and a mailing address of Post Office Box 350 Winter Park, Florida 32790-0350.

### Recitals

WHEREAS, the City and the Developer desire to amend the Developer's Agreement; as amended by Developer's Agreement Amendment One, dated November 26, 2007; in order to respond to changing economic conditions and to foster the redevelopment of the property described in the Developer's Agreement, as amended, and

WHEREAS, in November of 2000 the City granted a conditional use permit to the Developer, for the purpose of developing the property described in the Developer's Agreement, as amended, and

WHEREAS, to memorialize that conditional use permit the City and the Developer entered into the Developer's Agreement under which the Developer agreed to develop four two-story commercial buildings, a three level parking garage, and residential improvements according to the terms of the Developer's Agreement, as amended, and

WHEREAS, on or about May 23, 2005 the City approved a modification of the conditional use permit to allow the parking garage to be up to five levels so long as the residential development was substantially completed before the expansion of the parking garage to five levels and also approved a two year extension of the conditional use permit through May 23, 2007, and

WHEREAS, on or about April 9, 2007 the City again approved an extension of the conditional use permit through May 23, 2008 because the parties believed the City's Comprehensive Plan would be approved by that date and the development would proceed according to the terms of the Developer's Agreement and the Comprehensive Plan, and

WHEREAS, to memorialize that modification to the conditional use permit the Developer and the City entered into the Developer's Agreement Amendment One dated

November 26, 2007, amending the original November 28, 2000 Developer's Agreement to provide that the parking garage shall not exceed 5 levels and to allow the Developer the right to request to add a third floor to the commercial buildings according to the terms of that amendment, and

WHEREAS, on or about March 10, 2008 the Comprehensive Plan had not yet been adopted so the City granted another extension of time for the conditional use permit until one year after the Comprehensive Plan became effective, and

WHEREAS, the Comprehensive Plan became effective on May 14, 2009, extending the conditional use permit through May 14, 2010, and

WHEREAS, at all times material to the Developer's Agreement SYDGAN Corporation acted as the agent in fact for the Developer regarding the Developer's Agreement, the Developer's Agreement Amendment One, and the conditional use permit, with any modifications and extensions, related to the Developer's Agreement, as amended, and

WHEREAS, by April of 2010 the City had not yet adopted its Land Use Code, which would provide the regulations governing the development contemplated by the parties, so the City's planning staff requested an additional extension of the conditional use permit on behalf of the Developer, and

WHEREAS, on May 10, 2010, during the City Commission's regularly scheduled public meeting, the City granted a three year extension of the conditional use permit through May 14, 2013 and added the following five additional conditions to the conditional use permit:

1. No construction shall take place on the additional parking garage expansion until compatible development is approved by the City (as required via conditional use) for the vacant portion of the property at 655 W. Morse Boulevard on the Pennsylvania and Symonds corner and construction of the approved project has begun;
2. The maximum parking garage expansion is not to exceed 5 levels. The specific authorized expansion will be determined based on land development code parking requirements for approved projects on the properties governed by the approved Development Agreement that demonstrate the need for such parking;
3. All other terms of the 11/28/00, Developer's Agreement, as amended on 11/26/07, remain unchanged. (This includes the requirement for residential development);

4. This Conditional Use approval becomes effective upon mutual execution of an amendment to that Developer's Agreement; and
5. This extension does not indicate or imply that the Commission approves any specific future development or level of parking required to accommodate such development. All proposed development is subject to the normal land use processing approvals.

, and

WHEREAS, neither the Developer nor SYDGAN asked the City to reconsider its decision or sought judicial review of the May 10, 2010 decision by the City within the time required, and

WHEREAS, on or about December 13, 2010 SYDGAN, on behalf of the Developer, again requested an extension of the conditional use permit, for the first time referencing two laws passed by the legislature; Section 14, Chapter 2009-96, Laws of Florida (2009), and Section 46, Chapter 2010-147, Laws of Florida (2010), and

WHEREAS, at the City Commission's December 13, 2010 meeting the City granted an additional extension under Chapter 2010-147 but denied any extension under Chapter 2009-96, and

WHEREAS, SYDGAN timely filed a Petition for Writ of Certiorari in the Ninth Judicial Circuit Court styled "SYDGAN CORPORATION v. CITY OF WINTER PARK, Case No. 2011-CA-001709-O, Writ No. 11-13," ("Petition") seeking review of the December 13, 2010 decision by the City, and

WHEREAS, SYDGAN, the Developer, and the City have executed a Settlement Agreement settling all claims and disputes referenced in the Petition and all claims and other disputes between them.

NOW THEREFORE, in consideration of the terms and conditions contained in this Developer's Agreement Amendment Two, the parties hereby agree to amend the Developer's Agreement, as amended, as follows:

1. The City, based on its inherent authority as a Florida municipality and its general authority under the City Code, grants an extension of the conditional use permit memorialized in the Developer's Agreement, as amended, through the date of May 14, 2014.



2. The following conditions shall apply to the conditional use permit:

- (1) No construction shall take place on the additional parking garage expansion until residential development on the vacant lots at 672 and 660 Symonds Avenue has begun. Furthermore, no construction shall take place on building number three located at 171 North Pennsylvania Avenue until either a minimum of a two-unit duplex located at 620 Symonds Avenue (west half of Lot 2, Block H, Capen's Addition to Winter Park; Plat Book "A, Page 95), which is the vacant land area just west of the Symonds Avenue commercial surface parking lot, has begun or residential development on the vacant lots at 712 and 726 Symonds Avenue (west half of Lot 5 and the east half of Lot 6, Block H, Capen's Addition to Winter Park; Plat Book "A, Page 95) has begun and that those residential buildings shall be deemed sufficient to satisfy the conditions of the Development Agreement, as amended.
- (2) The maximum parking garage expansion is not to exceed five levels. The specific future development of the adjacent vacant land will be determined based on the applicable land development code parking requirements for projects on the properties which are governed by the Developer's Agreement and which are approved by the City, and
- (3) All other terms of the November 28, 2000 Developer's Agreement, as amended on November 26, 2007, remain unchanged. (This includes the requirement for residential development).

**BINDING EFFECT:** This Developer's Agreement Amendment Two, which shall be incorporated into and referred to as the Developer's Agreement, as amended, shall be binding on the Developer and its successors and assigns in interest and all other parties acquiring any interest in the property described in the Developer's Agreement, as amended, and shall inure to the benefit of the City.

**VENUE:** Any action to enforce the terms or conditions of the Developer's Agreement, as amended, shall be before the City's Code Enforcement Board.

**ADVICE OF COUNSEL:** The Parties to the Developer's Agreement, as amended, acknowledge that they have received the advice of independent legal counsel. The parties executing this Developer's Agreement Amendment Two do so with the full knowledge of its significance and with the express intent of effecting its legal consequences.

**AUTHORITY:** Each party to this Developer's Agreement Amendment Two represents and warrants to the other that it has all necessary power and authority to enter into and consummate the terms and conditions of this Amendment and that all acts, approvals, procedures, and similar matters required in order to authorize this Amendment, have been taken or followed, as the case may be, and that upon execution of this Amendment by both parties, this Amendment shall be valid and binding on the parties and their successors in interest and shall be incorporated into the Developer's Agreement, as amended.

**GOVERNING LAW:** The Developer's Agreement, as amended, shall be governed by and construed according to the law of the state of Florida.

**SUCCESSORS AND ASSIGNS:** The Developer's Agreement, as amended, with all of its terms and conditions, shall be binding on and inure to the benefit of the City and the Developer and their respective successors in interest, and the terms and conditions of this amendment similarly shall be binding on the Property described in the Developer's Agreement, as amended, and shall run with the title to the Property.

**SEVERABILITY:** If any provisions of the Developer's Agreement, as amended, are found to be illegal or invalid, the other provisions of this Amendment shall remain in full force and effect.

**IN WITNESS OF THIS AMENDMENT,** the parties have executed this Agreement on the day and year indicated below.

W.F.G. LTD., a Florida Limited Partnership

ROBERT SALTSMAN  
Printed name of Representative for W.F.G, LTD.

President of it Gen. Atk. Wellbome Corp  
Position / Title of Representative for W.F.G, LTD.

Robert Saltzman  
Signature of Representative for W.F.G, LTD

2/23/2012  
Date

Laura Lee Viana  
Printed name of Witness 1

Lana Lee Utam  
Signature of Witness 1

Aimee Ellen Rox  
Printed name of Witness 2

Aimee Ellen Rox  
Signature of Witness 2

CITY OF WINTER PARK, FLORIDA

Kenneth W. Bradley  
Mayor of the City of Winter Park

Kenneth W. Bradley  
Signature of the Mayor of the City of Winter Park

3-16-12  
Date

Juanita Grant  
Printed name of Witness 1

JUANITA GRANT  
Signature of Witness 1

Keri Martini  
Printed name of Witness 2

Keri Martini  
Signature of Witness 2

# MDM HOTEL AT MORSE AND PENN

PRELIMINARY CONDITIONAL USE SUBMITTAL

10/05/16



Sheet List	
Sheet Number	Sheet Name
C1	BOUNDARY AND TOPOGRAPHIC SURVEY
C2	CIVIL SITE PLAN
C3	DRAINAGE PLAN
C4	LAND USE CHANGE SKETCH OF DESCRIPTION
L-1	TREE PRESERVATION & PROTECTION PLAN
L-2	LANDSCAPE PLAN
G0.2	SITE ANALYSIS
G0.3	F.A.R. CALCULATIONS
G1.0	ARCHITECTURAL SITE PLAN
G1.2	BUILDING ELEVATIONS
G1.3	BUILDING ELEVATIONS - COLOR
G2.0	N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE
G2.1	N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE
G2.2	BUILDING PERSPECTIVES
G2.3	N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE
G2.4	BUILDING PERSPECTIVES
G2.5	N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE
G2.8	N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE
G2.9	N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE
G2.10	BUILDING PERSPECTIVES
G2.11	N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE
G2.12	N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE

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15-317

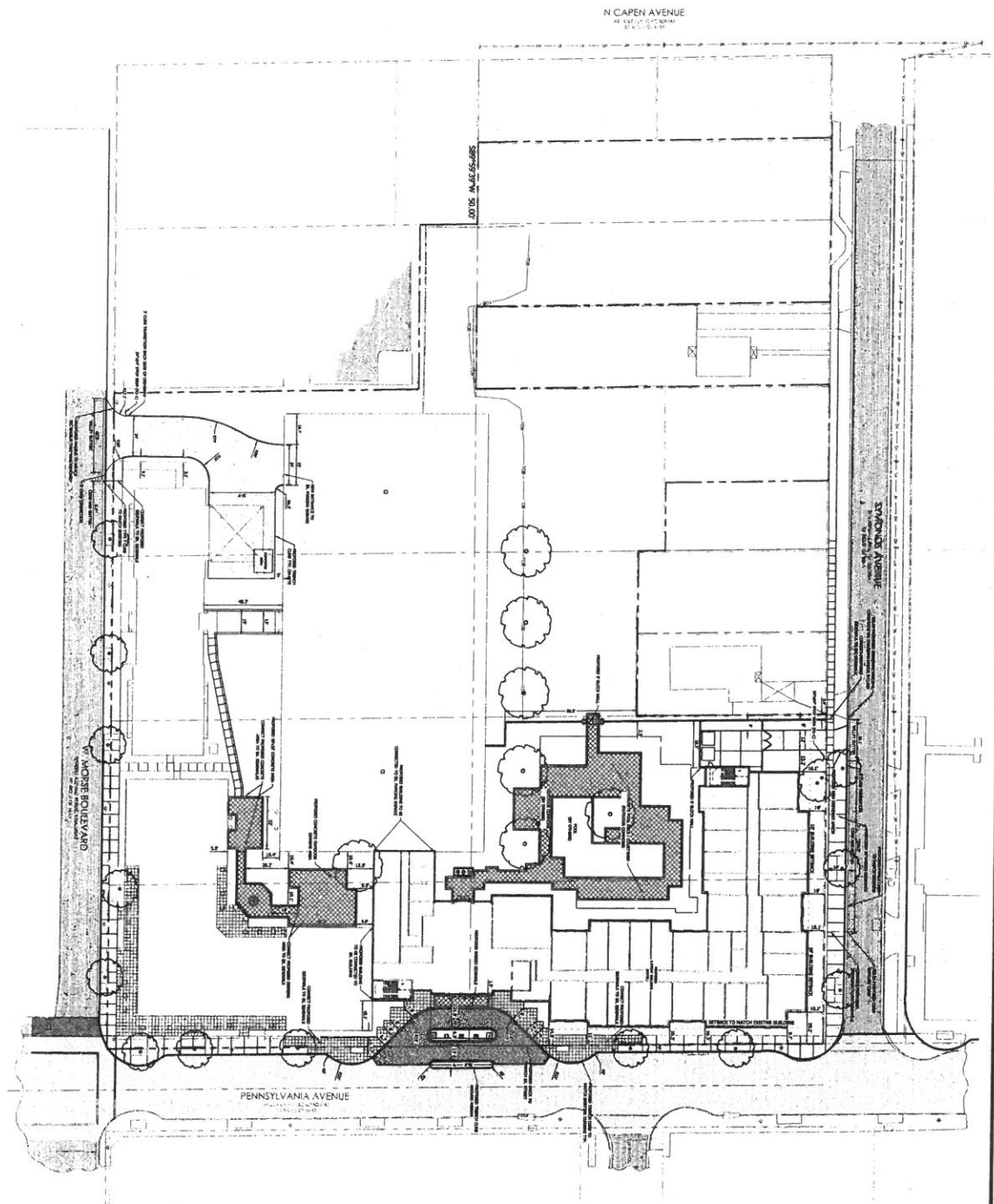
**FINFROCK**  
FINFROCK DESIGN, INC.

COVER

**MDM BOUTIQUE HOTEL**

WINTER PARK, FL | G0  
10/04/16



[illegible]

FLOOD PLAIN NOTE

THIS MODEL IS NOT WITHIN THE PROPERTY OF THE IIR THAT FLOOD RISK

SCALE: 1" = 30'

0' 30' 60'

NORTH

**811**  
Know what's below.  
Call before you dig.

1578	1
------	---

CLIENT:  
PROJECT:

FINFROCK CONSTRUCTION, INC.  
MORSE AND PENN HOTEL

## SITE PLAN

655 W MORSE BLVD, WINTER PARK, FLORIDA 32789

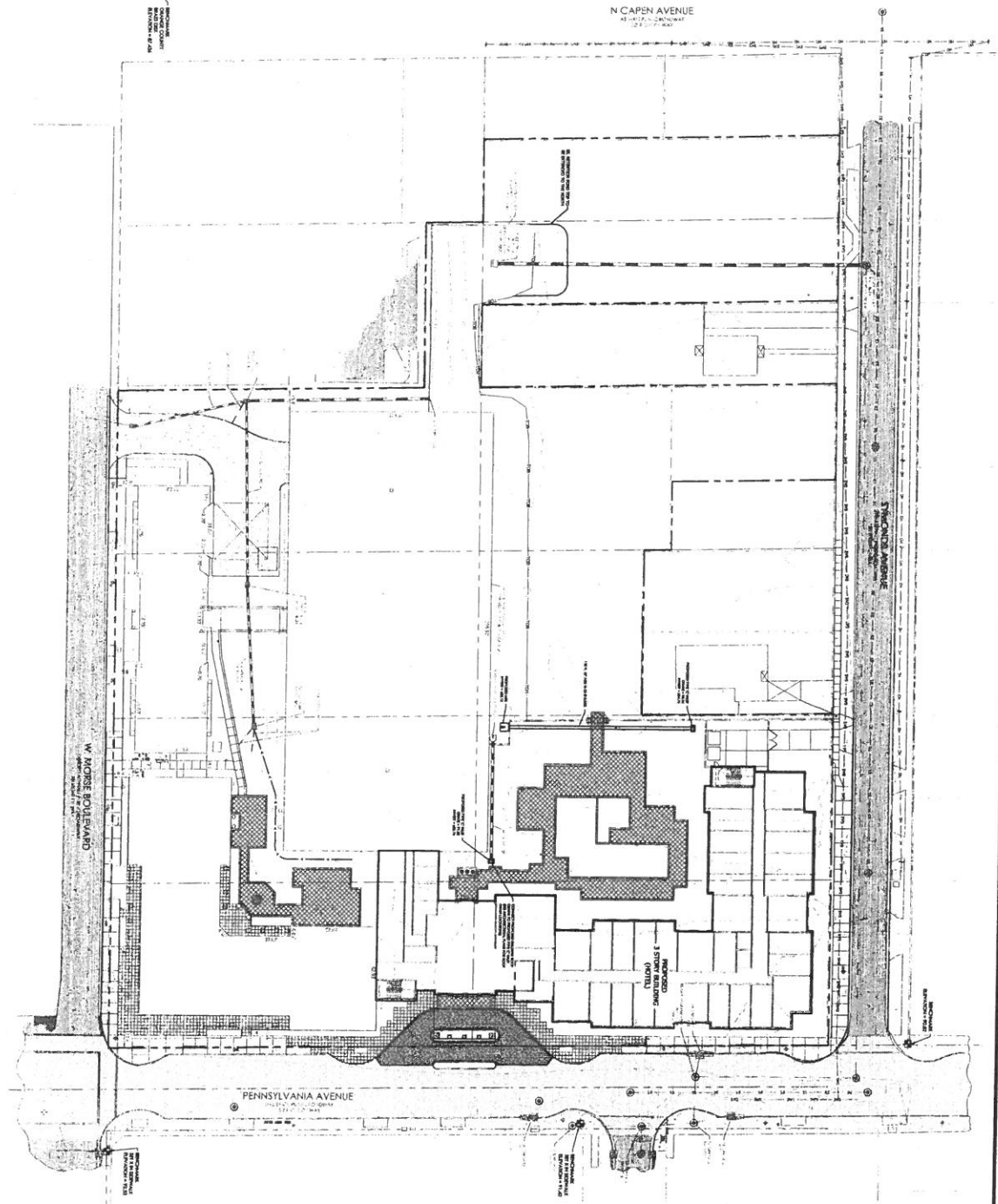


DESIGNED BY:	CB
DRAWN BY:	DM
CHECKED BY:	DM

SANTOS MEDINA B. P. E.  
FL. REG. #74038

[illegible]
















**ROOF DRAIN SYSTEM**

[illegible][illegible]

PROPERTY LINE  
EXISTING RIGHT OF WAY  
PROPOSED RIGHT OF WAY  
PROPOSED CURB LINE  
PROPOSED PAVED ALLEY LINE  
EXISTING CURB LINE

	CONTROL SAMPLE
	10% NaOH SOLUTION
	20% NaOH SOLUTION
	30% NaOH SOLUTION
	40% NaOH SOLUTION
	50% NaOH SOLUTION
	60% NaOH SOLUTION
	70% NaOH SOLUTION
	80% NaOH SOLUTION
	90% NaOH SOLUTION
	100% NaOH SOLUTION

SCALE: 1" = 20'

0' 20' 40'

LEGEND



1578	PROJECT NO.	CLIENT:	FINFROCK CONSTRUCTION, INC.
	DATE	PROJECT:	MORSE AND PENN HOTEL
1	OF	<h2 style="text-align: center;">DRAINAGE PLAN</h2> <p style="text-align: center;">655 W MORSE BLVD, WINTER PARK, FLORIDA 32786</p>	
1			

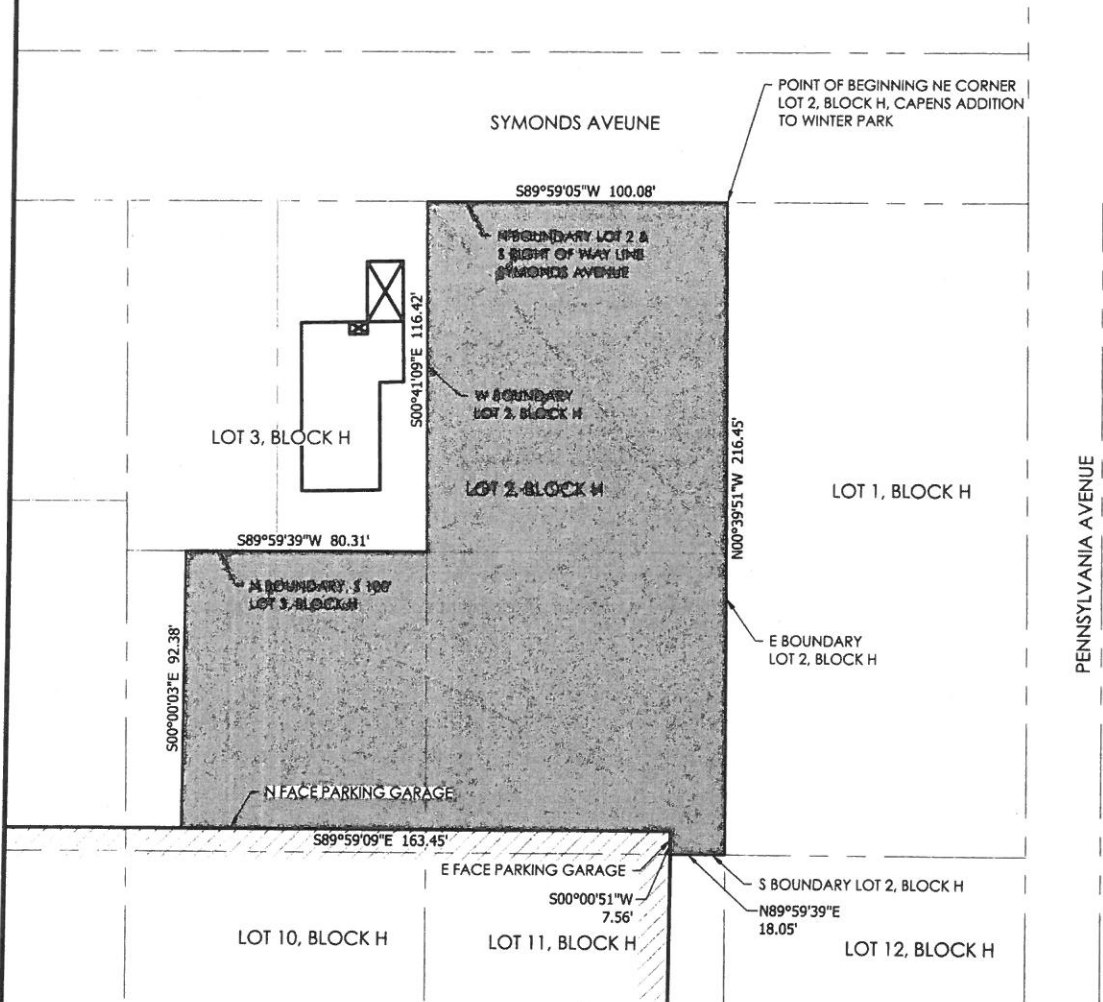
**PE** **Pickett**  
engineering  
30 SOUTH WOODLAWN AVENUE, BARTOW, FL 33630 PHONE: (863) 800-3044 FAX: (863) 800-1198  
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #24247

DESIGNED BY:	BAYTEX MEDIA & P.O. P. 1001 #1428	NO.	DATE	APPROVED	DESCRIPTION
CS					
DRAWN BY:					
DH					
CHECKED BY:					
PM	NOT VALID UNLESS SIGNED AND SEALED				

NOT A SURVEY



NORTH  
1" = 50'



DESCRIPTION

BEGIN AT THE NORTHEAST CORNER OF LOT 2, BLOCK H CAPENS ADDITION TO WINTER PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK A, PAGE 95, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA AND RUN THENCE S89°59'05"W ALONG THE NORTH BOUNDARY OF SAID LOT 2, AND SOUTH RIGHT OF WAY LINE OF SYMONDS AVENUE ACCORDING TO SAID CAPENS ADDITION TO WINTER PARK PLAT, A DISTANCE OF 100.08 FEET TO THE WEST BOUNDARY OF LOT 2; RUN THENCE S00°41'09"E ALONG SAID WEST BOUNDARY OF LOT 2 A DISTANCE OF 116.42 FEET; RUN THENCE S89°59'39"W ALONG THE NORTH BOUNDARY OF THE SOUTH 100 FEET OF LOT 3, OF SAID BLOCK H, A DISTANCE OF 80.31 FEET; RUN THENCE S00°00'03"E A DISTANCE OF 92.38 FEET TO THE NORTH FACE OF A PARKING GARAGE. RUN THENCE S89°59'09"E ALONG THE FACE OF SAID PARKING GARAGE 163.45 FEET; RUN THENCE S00°00'51"W ALONG THE EAST FACE OF SAID PARKING GARAGE, A DISTANCE OF 7.56 FEET TO THE SOUTH BOUNDARY OF SAID LOT 2; RUN THENCE N89°59'39"E ALONG THE SOUTH BOUNDARY OF SAID LOT 2, A DISTANCE OF 18.05 FEET TO THE EAST BOUNDARY OF SAID LOT 2; RUN THENCE N00°39'51"W ALONG SAID EAST BOUNDARY OF LOT 2, A DISTANCE OF 216.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED AREA CONTAINS 28,500 SQUARE FEET.

SURVEYOR'S NOTES:

1. ALL LANDS ARE WITHIN CITY OF WINTER PARK, ORANGE COUNTY, FLORIDA.
2. BEARINGS BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM, FLORIDA EAST ZONE FOR WESTERN RIGHT OF WAY LINE OF PENNSYLVANIA AVENUE ACCORDING TO THE PLAT OF CAPENS ADDITION TO WINTER PARK, RECORDED IN PLAT BOOK A, PAGE 95, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA.

NOT VALID WITHOUT A RAISED SEAL

**PEsurv, Inc**



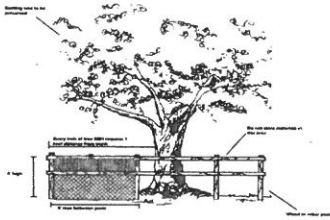
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830  
PHONE: (863) 800-3046  
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

MORSE & PENN LAND USE  
Section 6, Township 22S, Range 30E

**LAND USE CHANGE  
SKETCH OF DESCRIPTION**

PESURV, INC.

JOB # 1578



#### TREE BARRICADE DETAIL

The tree protection barricade shall be at least four (4) feet high and consist of either wood fence with 2x4 posts placed a maximum of eight (8) feet apart with 2x4 top rails or temporary orange fencing or other similar barrier that will limit access to the protected area.

The barricade shall be at least one foot in distance for each inch of trunk diameter. For trees less than 12" DBH, the minimum barricade shall be placed at least ten (10) feet away from the base of the tree.

Tree barricade approval: Obtain city approval of tree barricades before beginning any clearing operations or site development.

Tree protection signs shall be posted.

#### TREE PROTECTION REQUIREMENTS

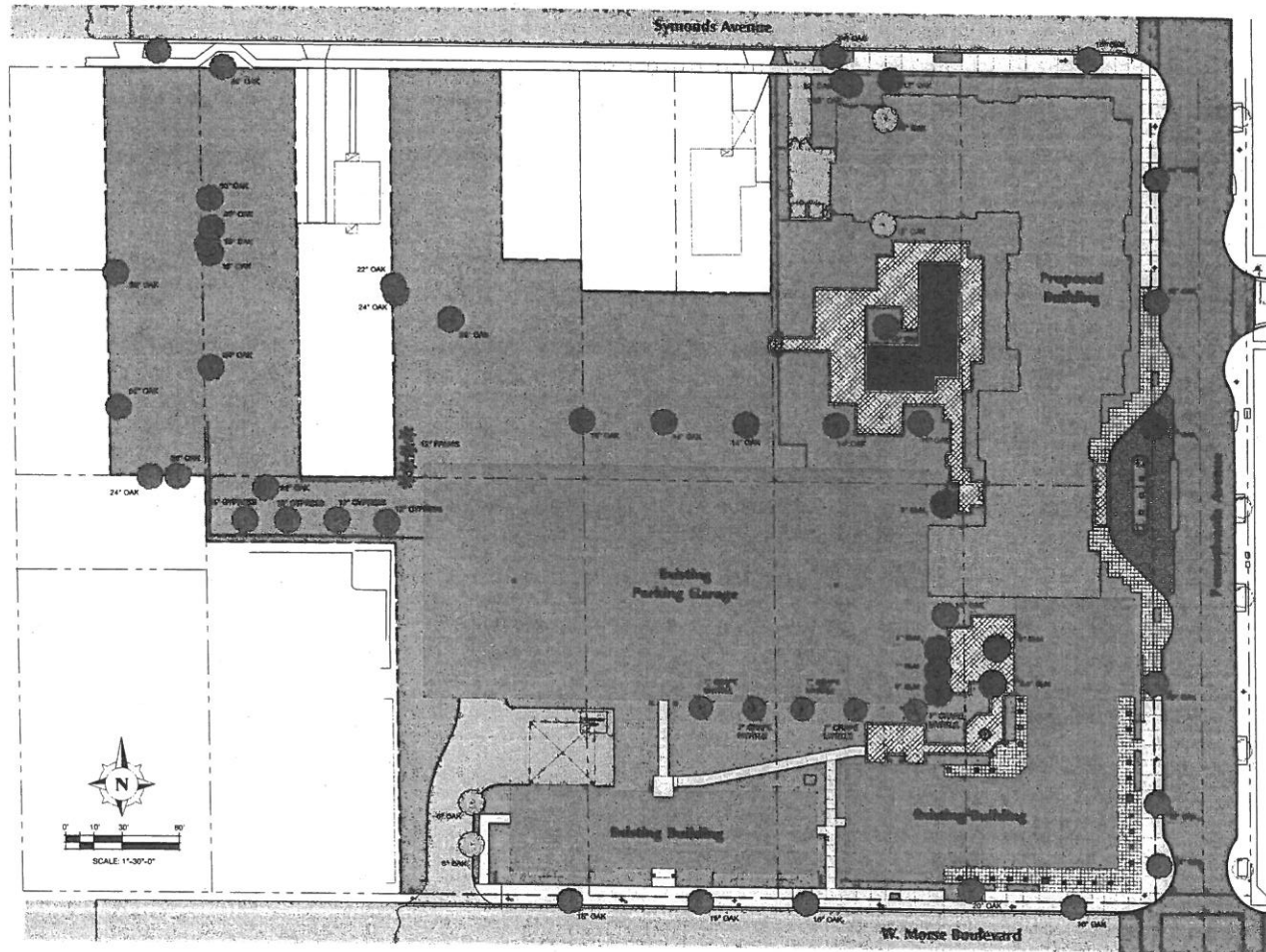
- Tree protection barrier required (subject and adjacent properties). Preferred material: 2x4 wood frames with high-vis fencing attached.
- Tree protection barrier shall be maintained at all times.
- No vehicles, machinery, soil deposits, building material etc., within tree protection zone.
- No mechanical, grubbing, trenching or clearing with in the tree protection zone.
- No wires, braces, nails, bolts, chains, or rope is to be attached to the tree.
- Grade changes of more than 3" require a dry wall around the base of the tree encompassing the drip line.
- Removal of more than 3" of soil within the drip line is prohibited.
- Utilities are to be routed around the drip line. If not possible tunneling is required. TRENCHING IS PROHIBITED.
- When installing privacy walls or other permanent structures, carrier beams should be installed to bridge over the roots.
- Tree protection signs shall be posted.

#### NOTE

The landscape architect has reviewed Tree Preservation with Urban Forestry on site, and will continue to coordinate Tree Protection and Replacement.

#### LEGEND

- Existing Trees to Remain
- Existing Trees to be Transplanted
- Existing Trees to be Removed

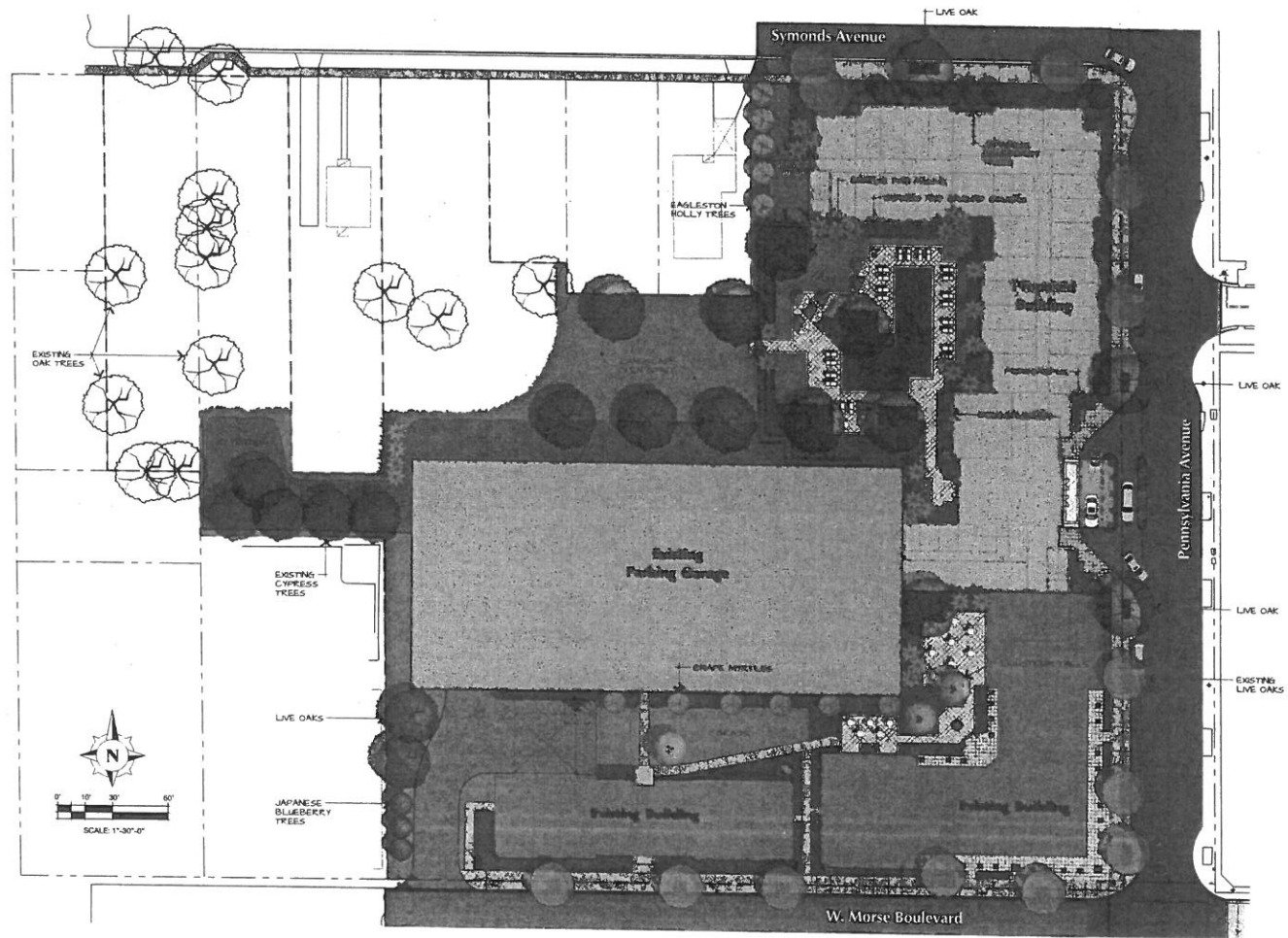


MDM BOUTIQUE HOTEL

TREE PRESERVATION & PROTECTION PLAN L-1



tele 407.718.7539  
mail@joeknight.net  
LA-0000379

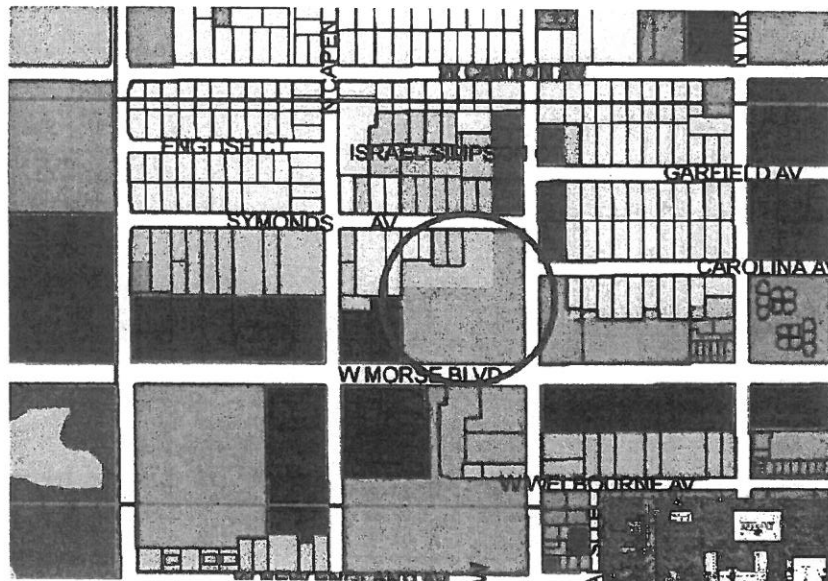


MDM BOUTIQUE HOTEL

LANDSCAPE PLAN L-2



tele 407.718.7530  
mail@joeknight.net  
LA-0000579



# **ZONING MAP** City of Winter Park, Florida

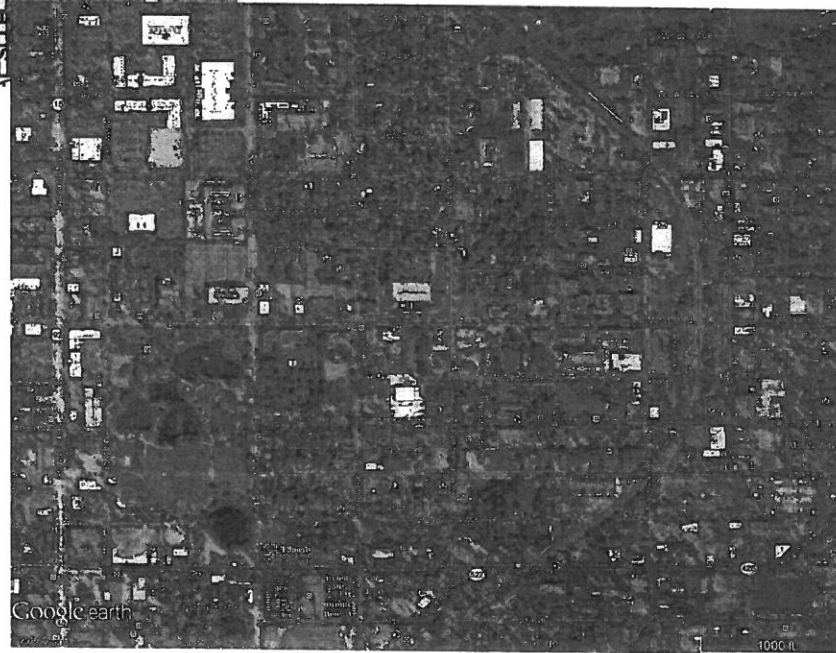
Legend									
Zoning		S-1	OC PD	PD-1	PL	B-1A	County Boundary		
C-1		O-1	PQP	B-1AA		Winter Park			
C-2		O-2	PR	B-1AAA		Other Cities			
C-3		PD-2	PU/ED	B-2		City Map Sheets			
C-3A				B-3		Water			
				B-4		Streets			
				Parcel Ownership					

This is to certify that this official Zoning Map was adopted April 12, 2010 as part of the Land Development Code of the City of Winter Park, Florida.

*Kenneth W. Bradley*  
Mayor: Kenneth W. Bradley

*Cindy Bonham*  
Attested by City Clerk: Cindy Bonham

Zoning Map updated for ordinances adopted through 2/10/2016 by the City of Winter Park.



## **SITE ANALYSIS**

ADDRESS: 655 W. Morse Blvd.  
PARCEL: 06-22-30-1168-08-095

ZONING: C-2  
MAX HEIGHT: 40 ft.  
MIN. SETBACKS:  
Front: 0 ft.  
Side: No requirement  
Rear: 10 ft.  
MAX. FAR: 200%

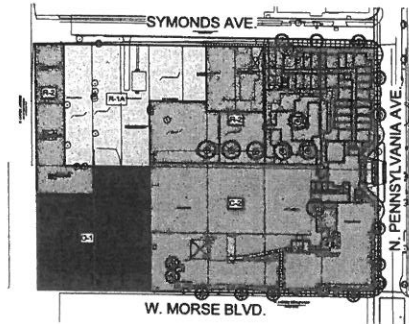
ZONING: C-3  
MAX HEIGHT: 40 ft.  
MIN. SETBACKS:  
Front: 10 ft.  
Side: 15 ft. (adjacent R-2 zoning)  
Rear: 30 ft.  
MAX. FAR: 45%

## **SITE ANALYSIS**

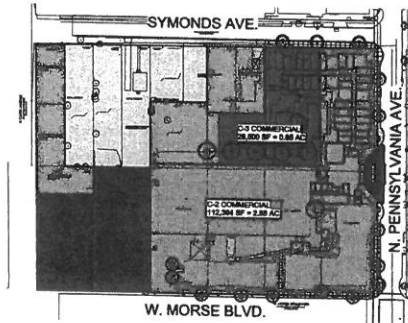
## **MDM BOUTIQUE HOTEL**

WINTER PARK, FL  
10/04/16 | G0.2

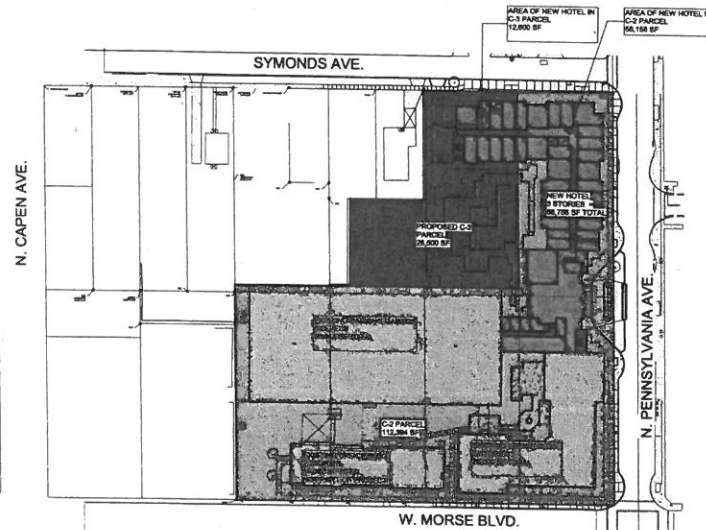




① CURRENT ZONING  
1" = 100'-0"



③ PROPOSED NEW ZONING  
1" = 100'-0"



④ SITE F.A.R.  
1" = 60'-0"

F.A.R. CALCULATION	
-TOTAL AREA OF C-2 PROJECT PARCEL	112,384 SF
-AREA OF NEW CONSTRUCTION IN C-2 PARCEL	56,156 SF
-AREA OF PARKING GARAGE	95,814 SF
-AREA OF OFFICE BUILDING 1	14,082 SF
-AREA OF OFFICE BUILDING 2	28,000 SF
TOTAL BUILDING AREA IN C-2 PARCEL	194,054 SF
F.A.R. IN C-2 PARCEL (194,054/112,384) =	1.73
-TOTAL AREA OF C-3 PROJECT PARCEL	28,500 SF
-AREA OF NEW CONSTRUCTION IN C-3 PARCEL	12,600 SF
F.A.R. IN C-3 PARCEL (12,600 / 28,500) =	.44

F.A.R. CALCULATIONS

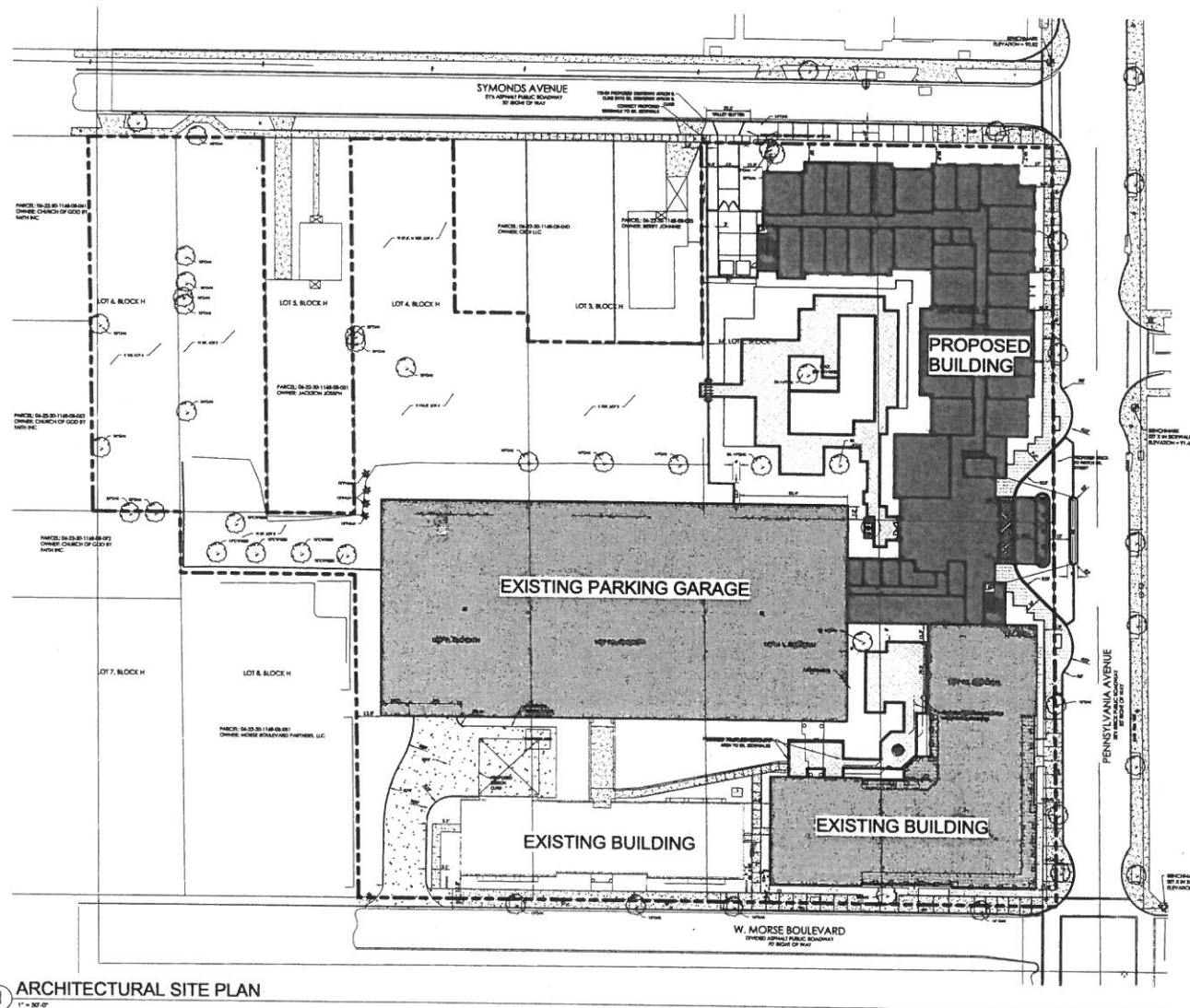
**MDM BOUTIQUE HOTEL**

WINTER PARK, FL | G0.3  
10/04/16





1 ARCHITECTURAL SITE PLAN  
1" = 300'-0"



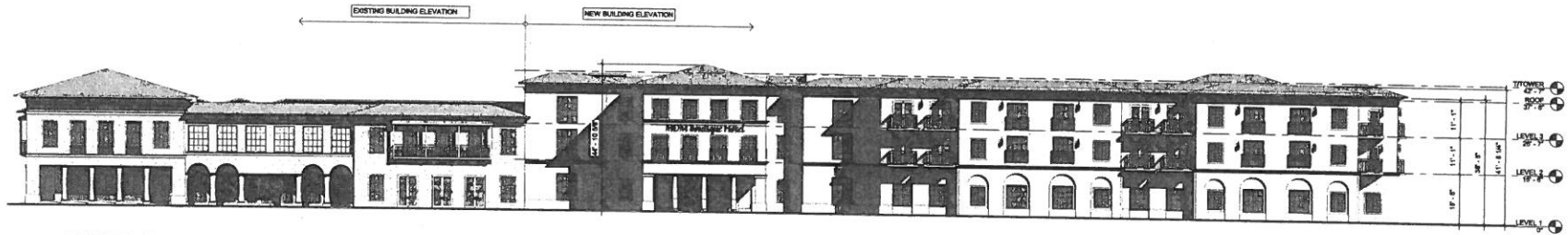
PARKING REQUIREMENTS - WINTER PARK CODE OF ORDINANCES, CH. 58, SEC. 58-85

USE	AREA / ROOM	PARKING REQUIRED PER SF OR ROOM	REQUIRED SPACES
HOTEL	1,200	1 SPACE PER ROOM	120
RESTAURANT	6,000	1 SPACE/ 50	80
MEETING ROOMS	6,000	1 SPACE/ 350	14
OFFICE (EXISTING)	14,082	1 SPACE/ 250	56
PARKING SPACES REQUIRED			270

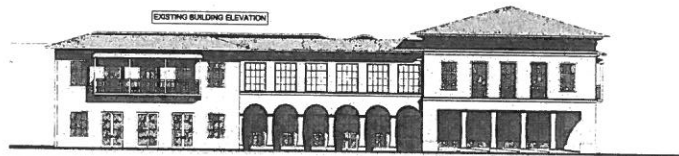
EXISTING PARKING GARAGE SPACES PROVIDED 270

ARCHITECTURAL SITE PLAN  
**MDM BOUTIQUE HOTEL**

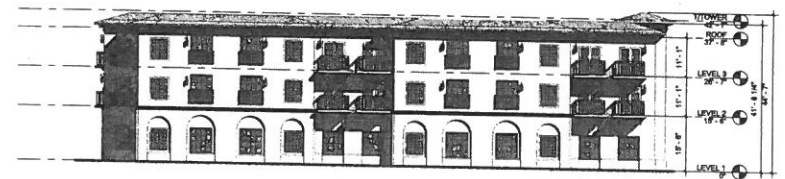
WINTER PARK, FL  
10/04/16 | G1.0



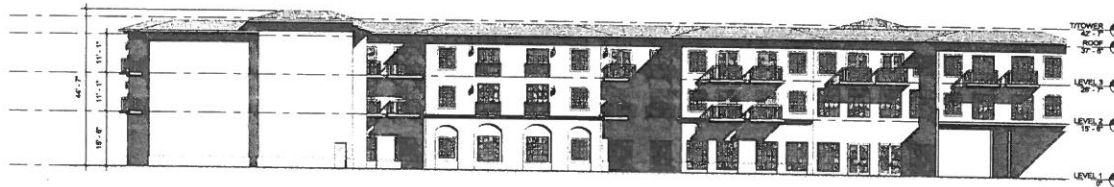
② EAST ELEVATION - PENNSYLVANIA AVE  
1/8" = 1'-0"



③ SOUTH ELEVATION - MORSE BLVD  
1/8" = 1'-0"



① NORTH ELEVATION - SYMONDS AVE  
1/8" = 1'-0"



④ WEST ELEVATION  
1/8" = 1'-0"

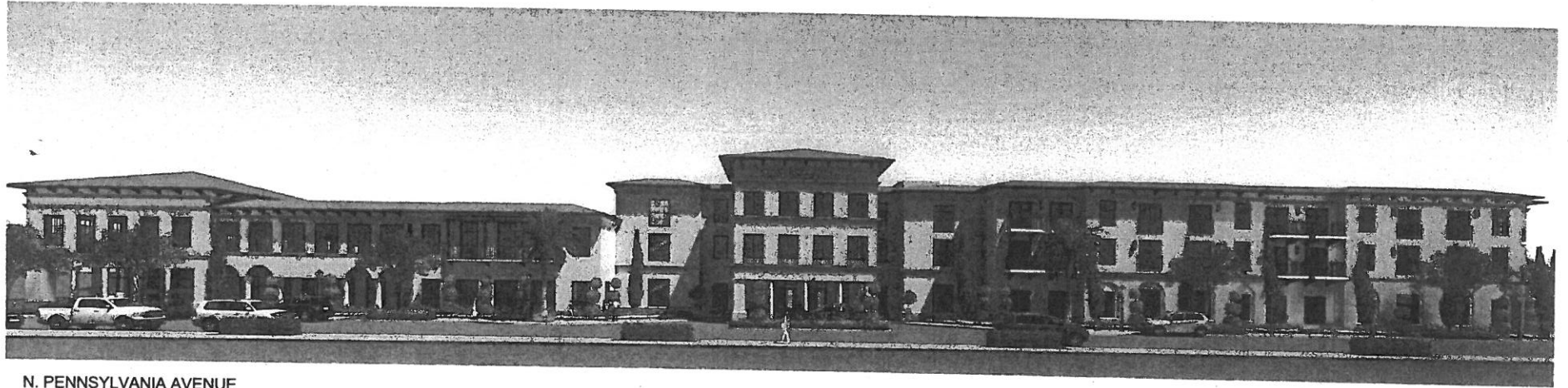
BUILDING ELEVATIONS

**MDM BOUTIQUE HOTEL**

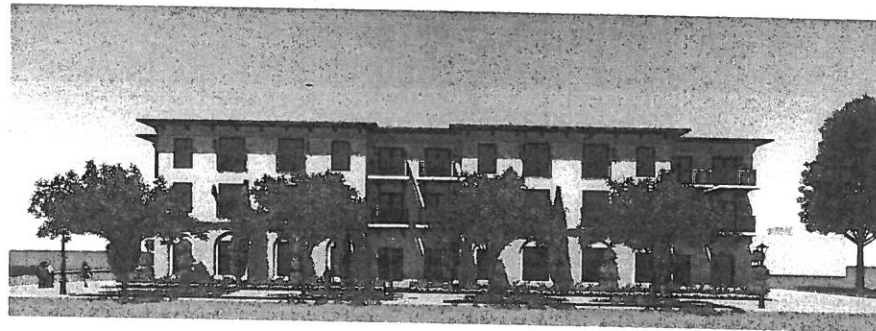
WINTER PARK, FL | G1.2  
10/04/16

10/4/2016 6:38:13 PM  
15-317

**FINROCK**  
FINROCK DESIGN, INC.



N. PENNSYLVANIA AVENUE



SYMONDS AVENUE

BUILDING ELEVATIONS - COLOR

**MDM BOUTIQUE HOTEL**

WINTER PARK, FL | G1.3  
10/04/16

10/4/2016 6:38:14 PM  
15-317

**FINROCK**  
FINROCK DESIGN, INC.



N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE

## MDM BOUTIQUE HOTEL

WINTER PARK, FL | G2.0  
10/04/16

**FINFROCK**  
FINFROCK DESIGN, INC.





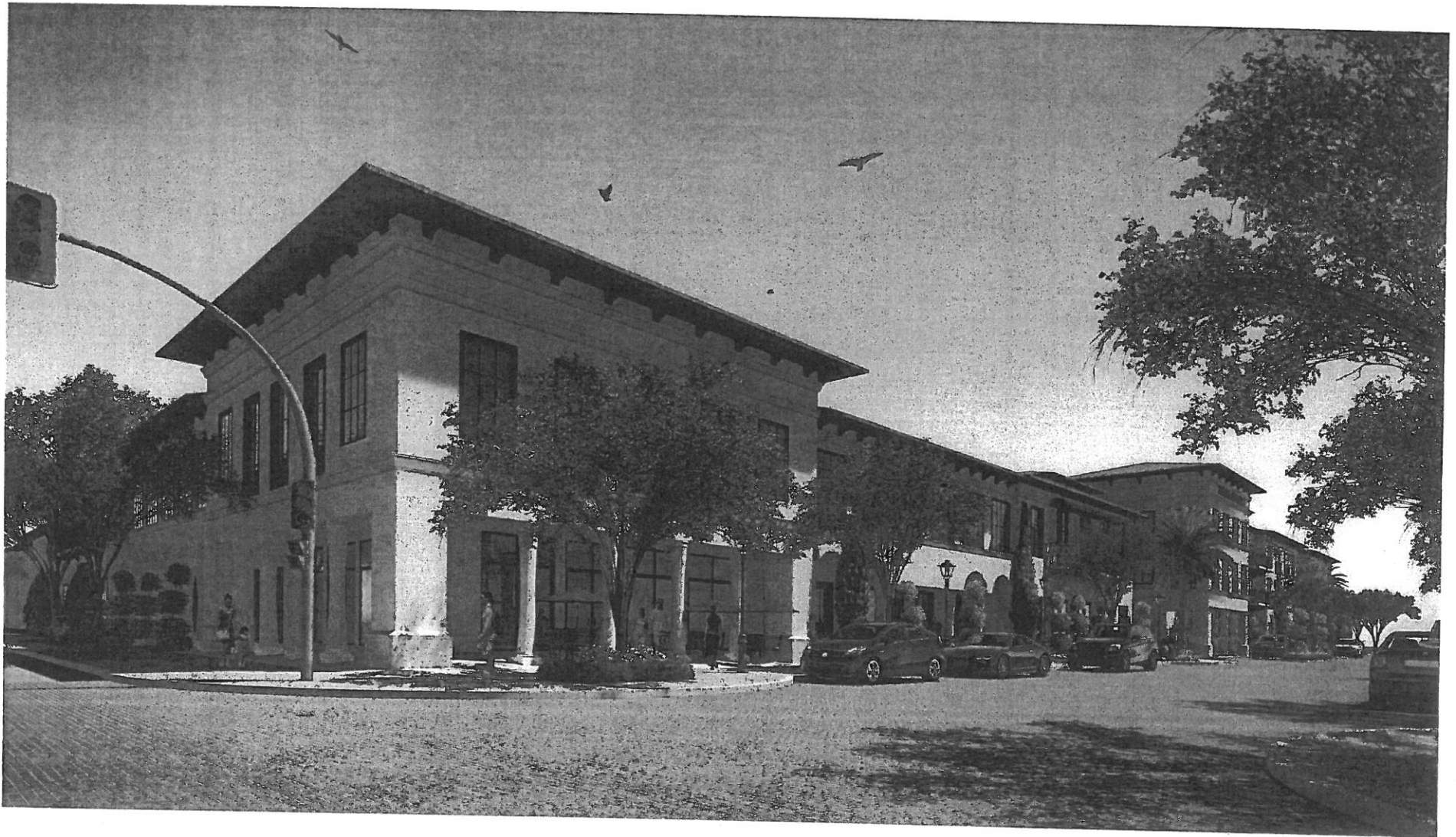
N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE

## MDM BOUTIQUE HOTEL

WINTER PARK, FL | G2.1  
10/04/16

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15-317

**FINROCK**  
FINROCK DESIGN, INC.



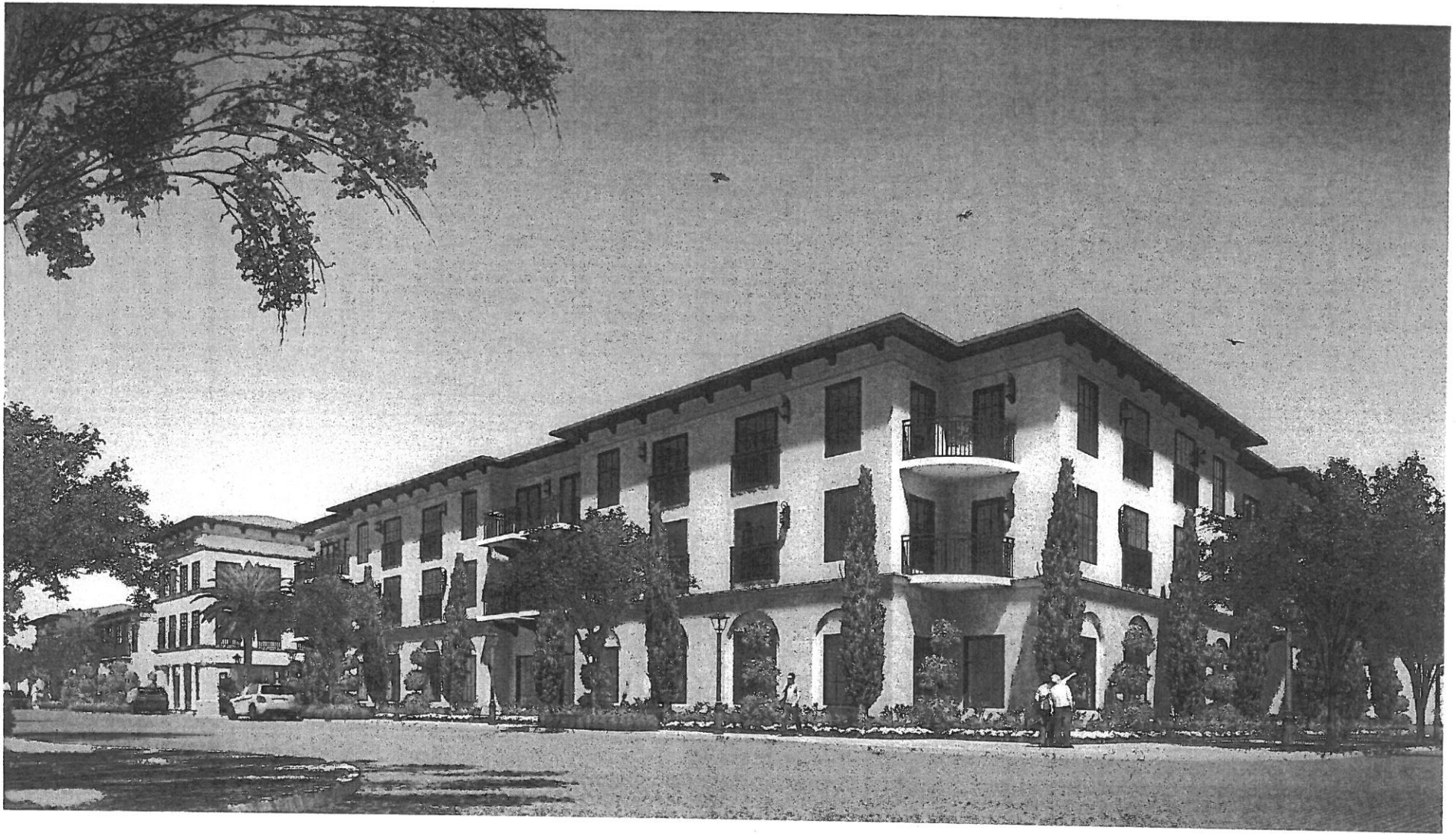
BUILDING PERSPECTIVES

## MDM BOUTIQUE HOTEL

WINTER PARK, FL | G2.2  
10/04/16

**FINROCK**  
FINROCK DESIGN, INC.





N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE

## MDM BOUTIQUE HOTEL

WINTER PARK, FL | G2.3  
10/04/16

10/4/2016 6:38:14 PM  
15-317

**FINROCK**  
FINROCK DESIGN, INC.

10/4/2016 6:38:14 PM  
15-317

**FINROCK**  
FINROCK DESIGN, INC.



BUILDING PERSPECTIVES  
**MDM BOUTIQUE HOTEL**  
WINTER PARK, FL | G2.4  
10/04/16

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15-317

**FINROCK**  
FINROCK DESIGN, INC.

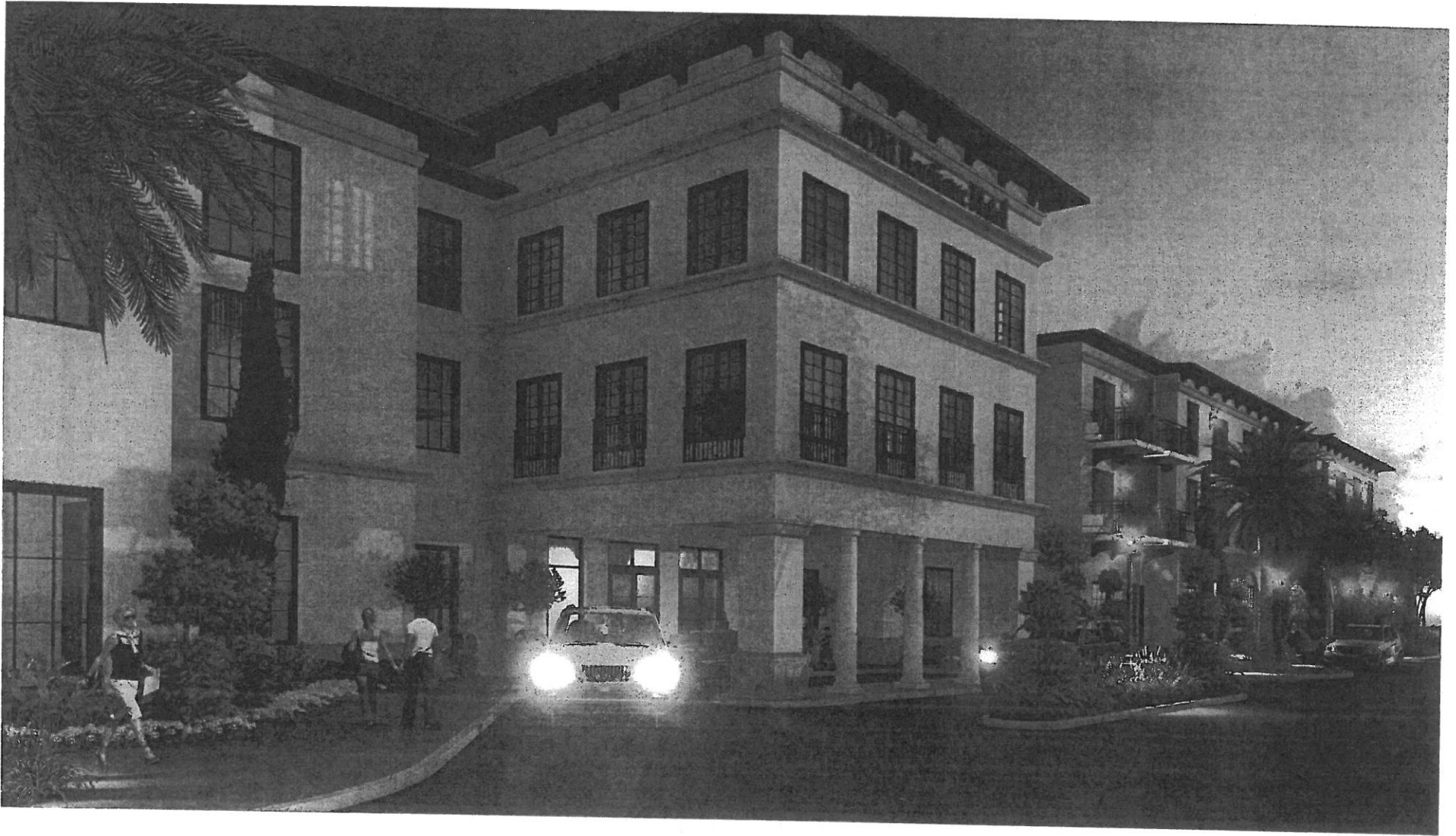


N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE

**MDM BOUTIQUE HOTEL**

WINTER PARK, FL | G2.5  
10/04/16





N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE

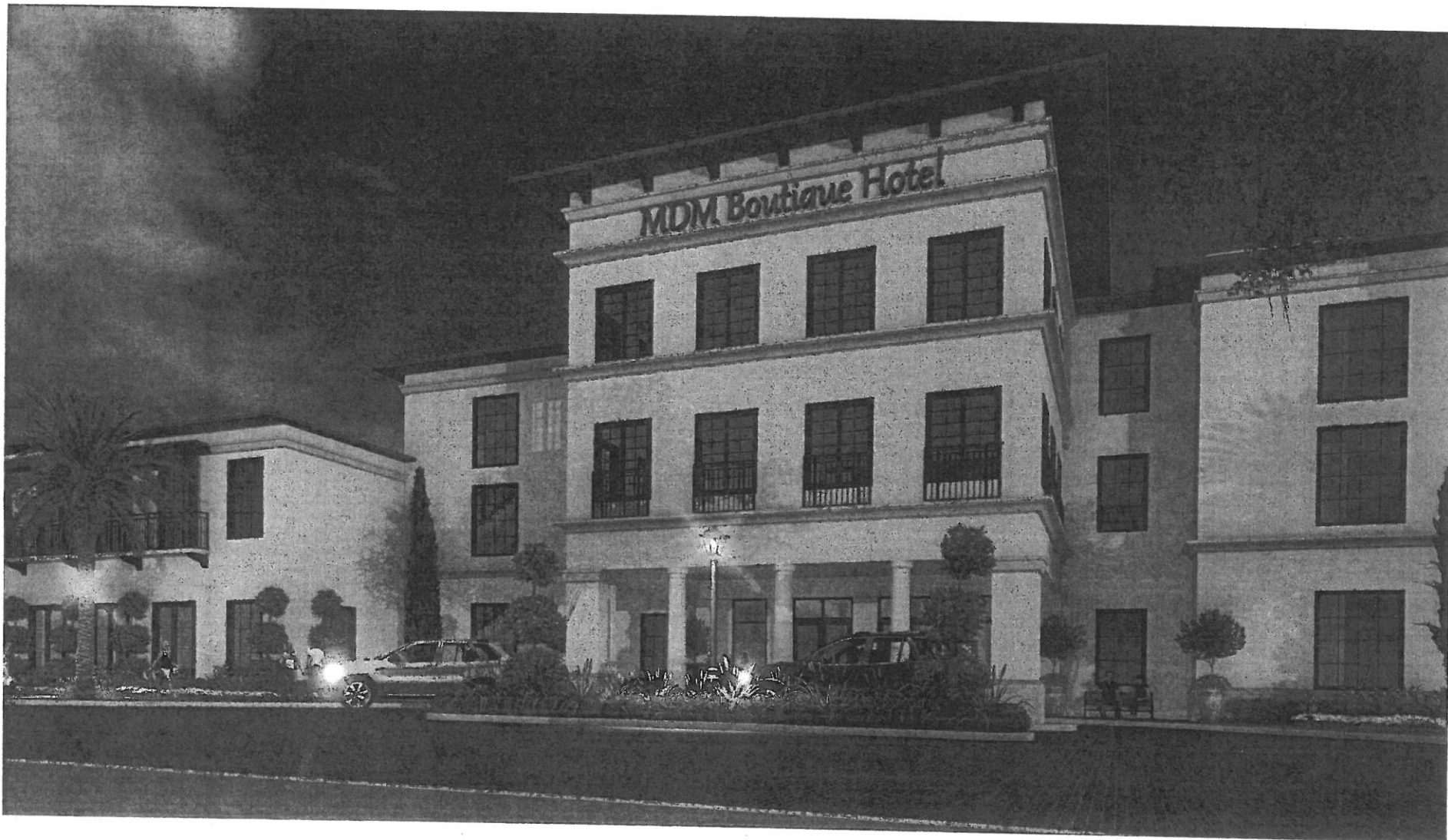
## MDM BOUTIQUE HOTEL

WINTER PARK, FL | G2.8  
10/04/16

10/4/2016 6:38:14 PM  
15-317

**FINROCK**  
FINROCK DESIGN, INC.

10/4/2016 6:38:15 PM  
15-317



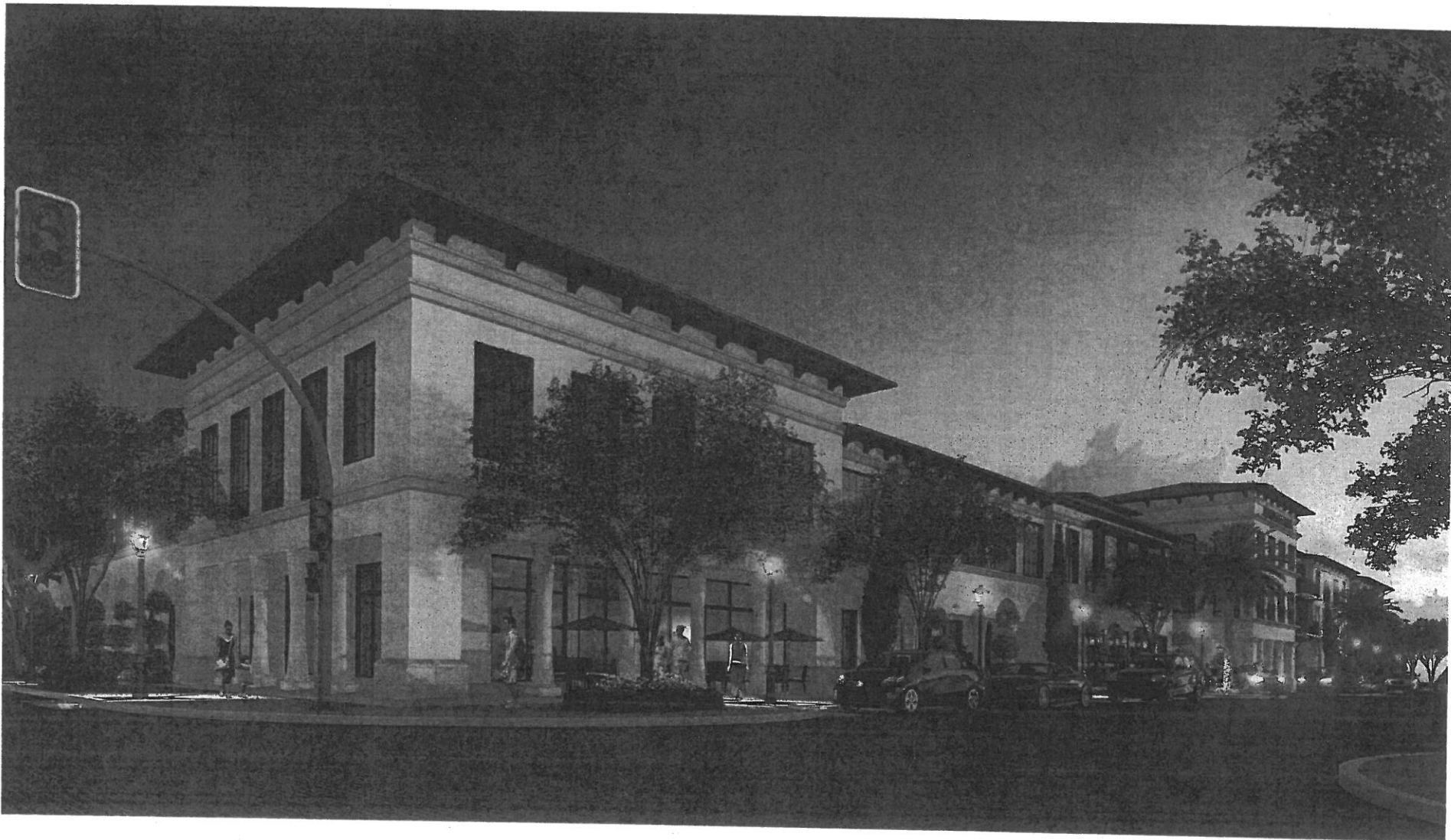
N. PENNSYLVANIA AVE. ENTRANCE PERSPECTIVE

**FINROCK**  
FINROCK DESIGN, INC.

**MDM BOUTIQUE HOTEL**  
WINTER PARK, FL | 10/04/16 | G2.9

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15-317

**FINROCK**  
FINROCK DESIGN, INC.

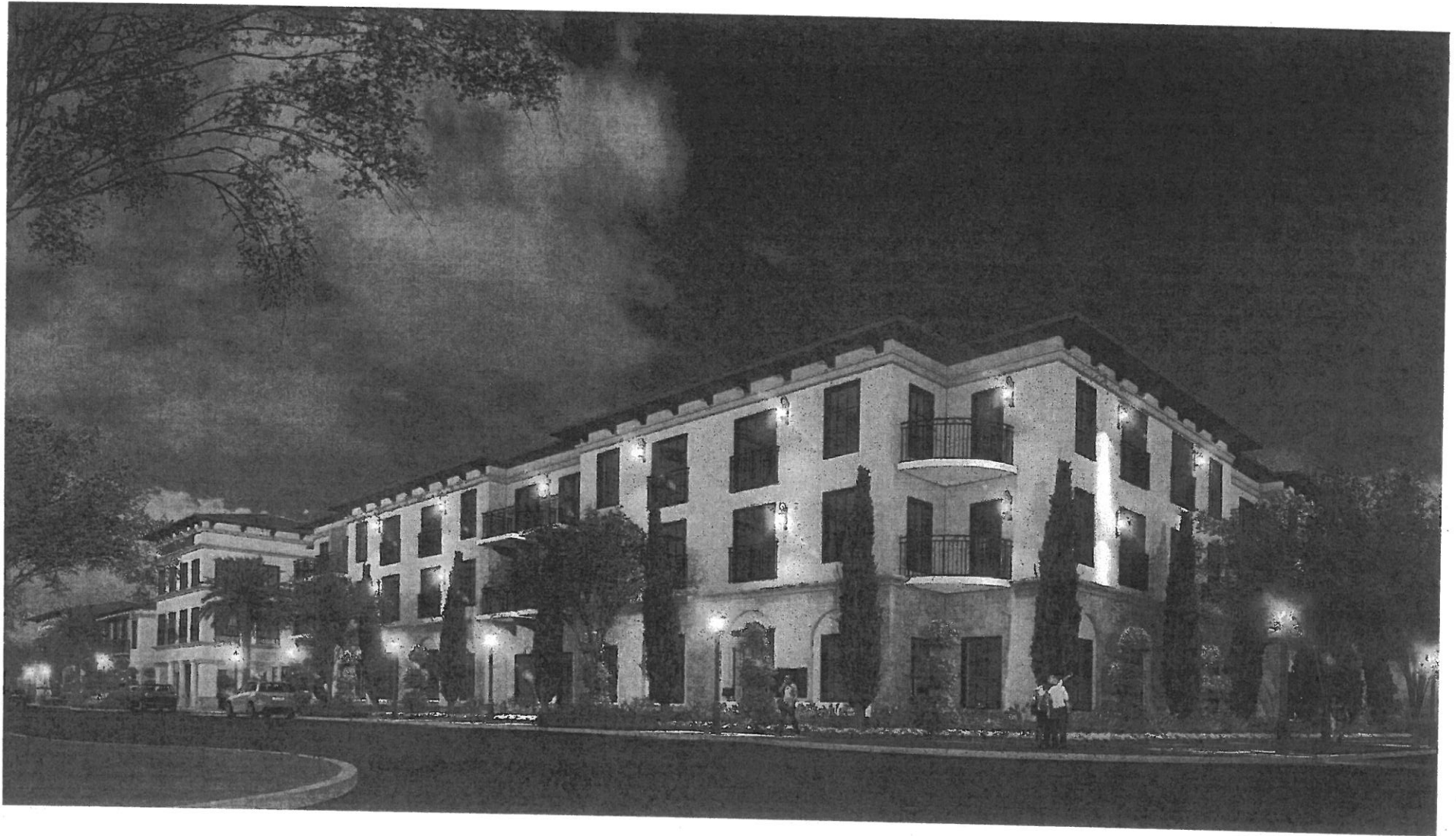


BUILDING PERSPECTIVES  
**MDM BOUTIQUE HOTEL**  
WINTER PARK, FL  
10/04/16 | G2.10



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15-317

**FINROCK**  
FINROCK DESIGN, INC.



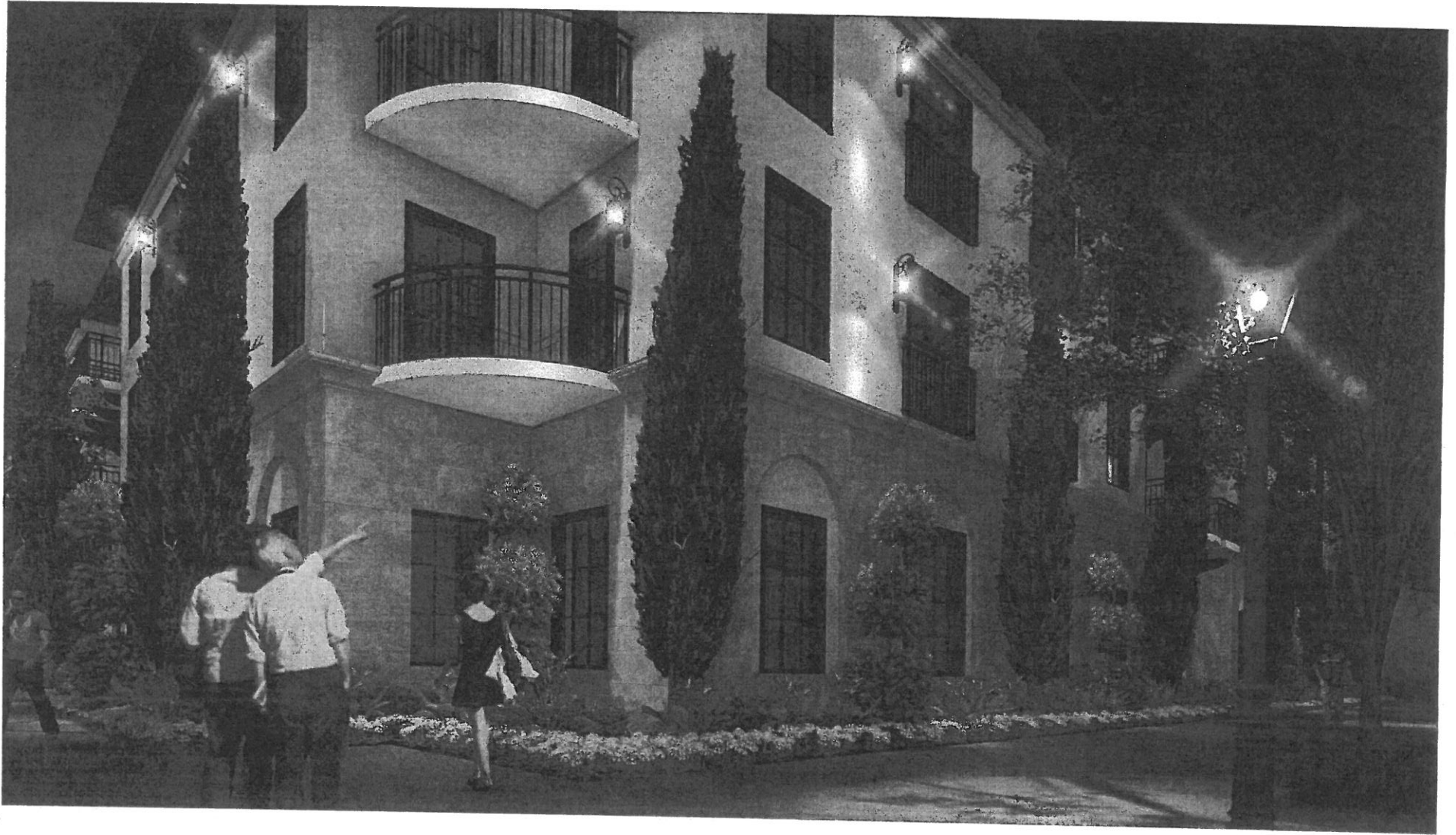
N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE

**MDM BOUTIQUE HOTEL**

WINTER PARK, FL  
10/04/16 | G2.11

10/4/2016 6:38:15 PM  
15-317

**FINROCK**  
FINROCK DESIGN, INC.



N. PENNSYLVANIA AVE. & SYMONDS AVE. PERSPECTIVE

**MDM BOUTIQUE HOTEL**

WINTER PARK, FL  
10/04/16 | G2.12

# Financial Report

For the Month of September (100% of fiscal year lapsed) Fiscal Year 2016

(Unaudited)

## General Fund

1. Revenues in total were about \$1,200,000 more than anticipated in the original budget. This is largely due to two items, building permit revenues (almost \$700,000) and red light camera violations. A portion of the building permit revenues are legally restricted to enforcing the Florida Building Code. This portion of General Fund balance is tracked separately from what we refer to as the City's General Fund Reserves which are available for any public purpose.
2. Expenditures in total were about \$270,000 below budget for all operational departments.
3. There were several large uses of reserves in FY 2016. These uses were as follows:

Purchase of bowling alley property	\$1,900,000
Golf course renovation	\$1,200,000
Showalter Field improvements	\$180,000
Additional funding for track at Showalter Field	\$99,000
Additional funding for thicker cool play turf at Showalter Field	\$38,759
Application of building permit reserves to purchase of new computer system	\$133,284
FY 2015 purchase orders re-appropriated to FY 2016	\$384,243
Total planned uses of reserves	\$3,935,286

End of fiscal year reserves is about \$7.5M or 16% of expenditures and transfers out for operating expenditures reported in other funds.

## Community Redevelopment Agency Fund

The CRA was credited with the annual tax increment revenue from both the City and County in December. The County portion is on the Intergovernmental revenue line item and the City portion is reflected in the Operating Transfers In.

Charges for services revenue is primarily associated with the ice rink.

Miscellaneous revenue includes the first of fourteen annual \$30,000 payments related to the Heritage Park property (formerly State Office Building).

Transfers out includes \$1,000,000 from CRA reserves for the purchase of the bowling alley property.

Even with the \$1,000,000 deduction, fund balance in the CRA was only reduced by about \$300,000.

### **Water and Sewer Fund**

Water and sewer revenues have positive variances in comparison to budget with the exception of water sales outside the city limits. Total positive variance for the year is \$641,049. Water and sewer rates were increased by 1.21% effective October 1, 2016. This is the price index set by the Florida Public Service Commission (PSC) for utilities it regulates. Municipal utilities are not regulated by the PSC but the City uses the index for years in which there is not a formal rate study.

The bottom line reflects a positive \$1,062,075 and debt service coverage is projected to be a strong 1.95 for the fiscal year.

### **Electric Services Fund**

Electric kWh sales exceeded the forecast by about 2.5%.

Our fuel over-recovery for the fiscal year was 445,516. This is prior to any true up for the month of September. Fuel cost recovery rates were reduced November 1 and again on February 1 in an effort to return some of that to the customers. Fuel costs will be adjusted downward effective October 1 in an effort to return approximately \$150,000 over the October to December time frame. Rates will likely be adjusted again January 1, 2017 to adopt annual rates.

The bottom line for the fiscal year is a positive \$73,075. Not bad in comparison to a budgeted net reduction of \$450,000.

The electric fund's unrestricted cash balance improved from a deficit of (\$916,075) at 9/30/2015 to a positive \$918,966 at 9/30/2016.

Debt service coverage is forecast at 2.35.

### **Investment Report**

This two page report summarizes the City's cash and investment holdings as of September 30, 2016. The overall portfolio has a blended rate of return of 1.28% and the average maturity of the long-term investment securities held was 4.39 years. All investment holdings were within the parameters of the City's current Investment Policy as of September 30, 2016.

**The City of Winter Park, Florida**  
**Monthly Financial Report - Budget vs. Actual**  
**General Fund**  
**Fiscal YTD September 30, 2016 and 2015**  
**100% of the Fiscal Year Lapsed**  
**(Unaudited)**

	Fiscal YTD September 30, 2016						Fiscal YTD September 30, 2015				
	Actual		Budget				Actual	Budget			
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual	
Revenues:											
Property Tax	\$ 17,929,160	100%	\$ 17,927,507	\$ 17,927,507	\$ 17,927,507	\$ 1,653	\$ 16,593,273	\$ 16,489,478	\$ 16,489,478	\$ 103,795	
Franchise Fees	1,267,143	107%	1,181,603	1,181,603	1,181,603	85,540	1,216,596	1,122,850	1,122,850	93,746	
Utility Taxes	6,584,339	99%	6,680,726	6,680,726	6,680,726	(96,387)	6,560,898	6,728,400	6,728,400	(167,502)	
Business Taxes	484,845	98%	494,975	494,975	494,975	(10,130)	496,973	481,500	481,500	15,473	
Building Permits	2,596,592	135%	1,918,000	1,918,000	1,918,000	678,592	1,870,462	1,988,000	1,988,000	(117,538)	
Other Licenses & Permits	40,035	160%	25,000	25,000	25,000	15,035	25,386	24,000	24,000	1,386	
Intergovernmental	7,240,443	101%	7,145,937	7,145,937	7,145,937	94,506	7,030,732	6,758,307	6,758,307	272,425	
Charges for Services	5,702,745	102%	5,604,608	5,604,608	5,604,608	98,137	5,655,128	5,396,450	5,396,450	258,678	
Fines and Forfeitures	1,260,131	134%	937,797	937,797	937,797	322,334	973,800	1,300,100	1,300,100	(326,300)	
Miscellaneous	703,671	99%	710,700	710,700	710,700	(7,029)	1,151,073	621,700	621,700	529,373	
Fund Balance	-	-	1,513,284	3,935,286	3,935,286	(3,935,286)	-	2,173,350	2,173,350	(2,173,350)	
<b>Total Revenues</b>	<b>43,809,104</b>	<b>94%</b>	<b>44,140,137</b>	<b>46,562,139</b>	<b>46,562,139</b>	<b>(2,753,035)</b>	<b>41,574,321</b>	<b>43,084,135</b>	<b>43,084,135</b>	<b>(1,509,814)</b>	
Expenditures:											
City Commission	24,739	94%	26,432	26,432	26,432	1,693	24,016	22,927	22,927	(1,089)	
Legal Services - City Attorney	306,027	102%	301,000	301,000	301,000	(5,027)	221,344	435,297	435,297	213,953	
Legal Services - Other	42,704	71%	60,000	60,000	60,000	17,296	97,978	10,042	10,042	(87,936)	
Lobbyists	102,000	86%	118,000	118,000	118,000	16,000	89,340	13,661	13,661	(75,679)	
City Management	593,225	101%	585,051	585,051	585,051	(8,174)	577,316	531,030	531,030	(46,286)	
Budget and Performance Measurement	155,149	0%	160,998	160,998	160,998	5,849	152,735	141,514	141,514	(11,221)	
City Clerk	138,307	76%	182,470	182,470	182,470	44,163	195,400	245,632	245,632	50,232	
Communications Dept.	524,384	94%	551,944	558,409	558,409	34,025	526,102	538,183	538,183	12,081	
Information Technology Services	1,294,355	92%	1,405,288	1,405,288	1,405,288	110,933	1,181,376	1,234,967	1,234,967	53,591	
Finance	863,727	97%	886,496	886,496	886,496	22,769	869,121	865,294	865,294	(3,827)	
Human Resources	326,089	98%	332,059	332,059	332,059	5,970	335,280	341,130	341,130	5,850	
Purchasing	242,645	87%	279,527	279,527	279,527	36,882	183,660	269,479	269,479	85,819	
Planning & Community Development	870,642	96%	769,373	911,522	911,522	40,880	865,347	847,209	847,209	(18,138)	
Building	1,234,566	102%	1,212,538	1,212,538	1,212,538	(22,028)	1,168,625	1,115,832	1,115,832	(52,793)	
Economic Development	22,494	-	-	-	-	(22,494)	-	-	-	-	
Public Works	7,210,493	99%	7,042,811	7,262,207	7,262,207	51,714	6,804,382	6,875,529	6,875,529	71,147	
Police	12,926,886	97%	13,385,918	13,388,511	13,388,511	461,625	12,902,002	13,421,633	13,421,633	519,631	
Fire	12,139,848	103%	11,814,541	11,828,181	11,828,181	(311,667)	11,608,622	11,310,044	11,310,044	(298,578)	
Parks & Recreation	7,523,056	103%	7,315,293	7,315,293	7,315,293	(207,763)	7,126,101	6,932,857	6,932,857	(193,244)	
Organizational Support	1,423,872	100%	1,422,472	1,422,472	1,422,472	(1,400)	1,394,580	1,394,580	1,394,580	-	
Non-Departmental	-	-	255,000	255,000	255,000	255,000	-	175,000	175,000	175,000	
<b>Total Expenditures</b>	<b>47,965,208</b>	<b>99%</b>	<b>48,107,211</b>	<b>48,491,454</b>	<b>48,491,454</b>	<b>526,246</b>	<b>46,323,327</b>	<b>46,721,840</b>	<b>46,721,840</b>	<b>398,513</b>	
<b>Revenues Over/(Under) Expenditures</b>	<b>(4,156,104)</b>	<b>215%</b>	<b>(3,967,074)</b>	<b>(1,929,315)</b>	<b>(1,929,315)</b>	<b>(2,226,789)</b>	<b>(4,749,006)</b>	<b>(3,637,705)</b>	<b>(3,637,705)</b>	<b>(1,111,301)</b>	
Operating transfers in	8,789,148	99%	8,871,531	8,871,531	8,871,531	(82,383)	8,533,796	8,532,487	8,532,487	1,309	
Operating transfers out	(6,987,094)	101%	(4,904,457)	(6,942,216)	(6,942,216)	(44,878)	(4,115,994)	(4,894,782)	(4,894,782)	778,788	
Other Financing Sources/(Uses)	<b>1,802,054</b>	<b>93%</b>	<b>3,967,074</b>	<b>1,929,315</b>	<b>1,929,315</b>	<b>(127,261)</b>	<b>4,417,802</b>	<b>3,637,705</b>	<b>3,637,705</b>	<b>780,097</b>	
<b>Total Revenues Over Expenditures</b>	<b>\$ (2,354,050)</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (2,354,050)</b>	<b>\$ (331,204)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (331,204)</b>	

\* As adjusted through September 30, 2016

The City of Winter Park, Florida  
Monthly Financial Report - Budget vs. Actual  
Community Redevelopment Fund  
Fiscal YTD September 30, 2016 and 2015  
100% of the Fiscal Year Lapsed  
(Unaudited)

	Fiscal YTD September 30, 2016						Fiscal YTD September 30, 2015			
	Actual		Budget				Actual	Budget		
	YTD	YTD %	Original Annual	Adjusted Annual *	Prorated Adj. Annual	Variance from Prorated Adj. Annual	YTD	Adjusted Annual	Prorated Adj. Annual	Variance from Prorated Adj. Annual
Revenues:										
Intergovernmental	\$ 1,550,967	103%	\$ 1,506,764	\$ 1,506,764	\$ 1,506,764	\$ 44,203	\$ 1,243,644	1,257,232	\$ 1,257,232	\$ (13,588)
Charges for services	171,985	76%	225,000	225,000	225,000	(53,015)	210,177	225,000	225,000	(14,823)
Miscellaneous	72,663	121%	60,000	60,000	60,000	12,663	113,100	76,000	76,000	37,100
Fund Balance	-	0%	806,257	1,956,568	1,956,568	(1,956,568)	-	987,713	987,713	(987,713)
Total Revenues	1,795,615	48%	2,598,021	3,748,332	3,748,332	(1,952,717)	1,566,921	2,545,945	2,545,945	(979,024)
Expenditures:										
Planning and Development	921,329	116%	1,630,823	794,897	794,897	(126,432)	866,194	1,233,501	1,233,501	367,307
Capital Projects	66,714	0%	806,257	1,792,494	1,792,494	1,725,780	84,290	663,662	663,662	579,372
Debt service	1,494,054	100%	1,494,053	1,494,053	1,494,053	(1)	1,498,378	1,498,378	1,498,378	-
Total Expenditures	2,482,097	61%	3,931,133	4,081,444	4,081,444	1,599,347	2,448,862	3,395,541	3,395,541	946,679
<b>Revenues Over/(Under)</b>										
<b>Expenditures</b>	<b>(686,482)</b>	<b>206%</b>	<b>(1,333,112)</b>	<b>(333,112)</b>	<b>(333,112)</b>	<b>(353,370)</b>	<b>(881,941)</b>	<b>(849,596)</b>	<b>(849,596)</b>	<b>(32,345)</b>
Operating transfers in	1,435,305	103%	1,390,428	1,390,428	1,390,428	(44,877)	1,147,624	1,160,162	1,160,162	12,538
Operating transfers out	(1,057,316)	100%	(57,316)	(1,057,316)	(1,057,316)	-	(49,898)	(49,898)	(49,898)	-
Other Financing Sources/(Uses)	377,989	0%	1,333,112	333,112	333,112	44,877	1,097,726	1,110,264	1,110,264	(12,538)
<b>Total Revenues Over/(Under)</b>										
<b>Expenditures</b>	<b>\$ (308,493)</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (308,493)</b>	<b>\$ 215,785</b>	<b>260,668</b>	<b>\$ 260,668</b>	<b>\$ (44,883)</b>

\* As adjusted through September 30, 2016



# WINTER PARK WATER AND WASTEWATER METRICS

September 30, 2016

(Unaudited)

	FY 2016 YTD				FY 2015	
				Projected		
	FY 2016 YTD	FY 2016 Annualized	FY 2016 Budget	Variance from Budget	FY 2015 YTD	FY 2015 in Total
<b>Operating Performance:</b>						
<b>Water and Irrigation Sales (thousands of gallons)</b>						
Sewer - inside city limits	972,012	972,012	975,866	(3,854)	968,105	968,105
Sewer - outside city limits	810,658	810,658	866,331	(55,673)	859,202	859,202
Water - inside city limits	1,528,589	1,528,589	1,423,463	105,126	1,420,561	1,420,561
Irrigation - Inside City	571,356	571,356	550,217	21,139	553,164	553,164
Water - outside city limits	1,192,418	1,192,418	1,216,104	(23,686)	1,214,394	1,214,394
Irrigation - Outside City	112,207	112,207	108,773	3,434	111,009	111,009
<b>Total</b>	<b>5,187,240</b>	<b>5,187,240</b>	<b>5,140,754</b>	<b>46,486</b>	<b>5,126,433</b>	<b>5,126,433</b>
<b>=====</b>						
<b>Operating revenues:</b>						
Sewer - inside city limits	\$ 6,349,026	\$ 6,349,026	\$ 6,061,843	\$ 287,183	5,937,909	5,937,909
Sewer - outside city limits	6,731,278	6,731,278	6,658,009	73,269	6,452,195	6,452,195
Water - inside city limits	8,746,900	8,746,900	8,471,951	274,949	8,533,847	8,533,847
Water - outside city limits	5,580,411	5,580,411	5,743,337	(162,926)	5,808,230	5,808,230
Other operating revenues	1,464,242	1,464,242	1,295,668	168,574	1,413,555	1,413,555
<b>Total operating revenues</b>	<b>28,871,857</b>	<b>28,871,857</b>	<b>28,230,808</b>	<b>641,049</b>	<b>28,145,736</b>	<b>28,145,736</b>
<b>Operating expenses:</b>						
General and adminstration	1,810,492	1,810,492	2,049,203	238,711	1,686,928	1,686,928
Operations	11,558,616	11,558,616	12,215,830	657,214	11,442,338	11,442,338
Labor costs capitalized	522,981	522,981	522,981	-	492,904	492,904
Wastewater treatment by other agencies	4,092,749	4,092,749	3,958,280	(134,469)	3,751,047	3,751,047
<b>Total operating expenses</b>	<b>17,984,838</b>	<b>17,984,838</b>	<b>18,746,294</b>	<b>761,456</b>	<b>17,373,217</b>	<b>17,373,217</b>

# WINTER PARK WATER AND WASTEWATER METRICS

September 30, 2016

(Unaudited)

	FY 2016 YTD			FY 2015	
			Projected		
	FY 2016 YTD	FY 2016 Annualized	FY 2016 Budget	Variance from Budget	FY 2015 YTD
					FY 2015 in Total
<b>Net Operating income</b>	<b>10,887,019</b>	<b>10,887,019</b>	<b>9,484,514</b>	<b>1,402,505</b>	<b>10,772,519</b>
<b>Other sources (uses):</b>					
Investment earnings	119,190	119,190	198,700	(79,510)	418,425
Miscellaneous revenue	8,440	8,440	5,000	3,440	73,022
Transfer to Renewal and Replacement Fund	(1,672,701)	(1,672,701)	(1,672,701)	-	(1,647,935)
Transfer to General Fund	(2,193,038)	(2,193,038)	(2,193,038)	-	(2,086,900)
Transfer for Organizational Support	(66,905)	(66,905)	(66,905)	-	(60,846)
Transfer to Capital Projects Fund	(95,000)	(95,000)	(95,000)	-	(562,953)
Debt service sinking fund deposits	(5,924,930)	(5,924,930)	(5,827,930)	(97,000)	(5,921,446)
<b>Total other sources (uses)</b>	<b>(9,824,944)</b>	<b>(9,824,944)</b>	<b>(9,651,874)</b>	<b>(173,070)</b>	<b>(9,788,633)</b>
<b>Net increase (decrease) in funds</b>	<b>\$ 1,062,075</b>	<b>\$ 1,062,075</b>	<b>\$ (167,360)</b>	<b>\$ 1,229,435</b>	<b>983,886</b>
<b>Debt service coverage</b>		<b>1.95</b>			<b>2.02</b>

**WINTER PARK ELECTRIC UTILITY METRICS**  
**September 30, 2016**  
**(Unaudited)**

	<b><u>FY'16</u></b> <b><u>YTD</u></b>	<b><u>FY'16</u></b> <b><u>Annualized</u></b>	<b><u>FY'16</u></b> <b><u>Budget</u></b>	<b>Variance</b> <b>from</b> <b><u>Budget</u></b>	<b><u>FY'15</u></b>
<b><u>Technical Performance</u></b>					
Net Sales (kWh)	437,486,122	437,486,122	426,504,060	10,982,062	428,482,496
Average Revenue/kWh	0.1059	0.1059			0.1093
Wholesale Power Purchased (kWh)	450,549,953	450,549,953	448,951,642	1,598,311	447,757,800
Wholesale Power Cost/kWh	(0.0506)	(0.0506)			(0.0522)
Gross margin	0.1565	0.1565			0.1615
Sold vs. Purchased kWh Ratio	97.10%	97.10%	95.00%		95.70%
 <b><u>Revenues and Expenses Directly Related to Sales of Electricity:</u></b>					
Electric Sales:					
Fuel	14,565,754	14,565,754	15,197,553	(631,799)	16,112,377
Non-Fuel	31,765,603	31,765,603	31,105,642	659,961	30,719,848
Purchased Power :		-			
Fuel	(14,083,240)	(14,083,240)	(15,197,553)	1,114,313	(15,003,619)
Non-Fuel	(8,696,038)	(8,696,038)	(8,348,952)	(347,086)	(8,381,995)
Transmission Power Cost	(3,261,373)	(3,261,373)	(3,345,582)	84,209	(3,254,741)
<b>Net Revenue from Sales of Electricity</b>	<b>20,290,706</b>	<b>20,290,706</b>	<b>19,411,108</b>	<b>879,598</b>	<b>20,191,870</b>
 <b><u>Other Operating Income (Expenses):</u></b>					
Other Operating Revenues	241,935	241,935	357,000	(115,065)	466,831
General and Administrative Expenses	(1,563,130)	(1,563,130)	(1,176,351)	(386,779)	(1,217,200)
Operating Expenses	(7,731,726)	(7,731,726)	(6,876,749)	(854,977)	(6,740,317)
Total Other Operating Income (Expenses)	(9,052,921)	(9,052,921)	(7,696,100)	(1,356,821)	(7,490,686)
<b>Net Operating Income</b>	<b>11,237,785</b>	<b>11,237,785</b>	<b>11,715,008</b>	<b>(477,223)</b>	<b>12,701,184</b>

**WINTER PARK ELECTRIC UTILITY METRICS**  
**September 30, 2016**  
**(Unaudited)**

	<b><u>FY'16</u></b>	<b><u>FY'16</u></b>	<b><u>FY'16</u></b>	<b>Variance</b>	
	<b><u>YTD</u></b>	<b><u>Annualized</u></b>	<b><u>Budget</u></b>	<b><u>from</u></b>	<b><u>FY'15</u></b>
				<b><u>Budget</u></b>	
<b>Nonoperating Revenues (Expenses):</b>					
State Funding for Fairbanks Distribution Lines	-	-	3,077,000	(3,077,000)	-
Undergrounding Fairbanks Distribution Lines	(4,050)	(4,050)	(3,077,000)	3,072,950	-
Investment Earnings	8,929	8,929	41,950	(33,021)	53,483
Principal on Debt	(2,070,000)	(2,070,000)	(2,070,000)	-	(1,735,000)
Interest on Debt	(2,710,747)	(2,710,747)	(2,858,204)	147,457	(3,317,845)
Miscellaneous Revenue	26,810	26,810	-	26,810	220,733
Proceeds from Sale of Assets	31,455	31,455	-	31,455	55,717
Contributions in Aid of Construction (CIAC)	887,239	887,239	-	887,239	579,798
Residential Underground Conversions	101,447	101,447	16,000	85,447	17,200
Capital (including the costs of improvements paid for by CIAC revenues)	(1,623,337)	(1,623,337)	(864,188)	(759,149)	(2,017,352)
Undergrounding of Power Lines	(2,964,273)	(2,964,273)	(3,500,000)	535,727	(4,473,252)
<b>Total Nonoperating Revenues (Expenses)</b>	<b>(8,316,527)</b>	<b>(8,316,527)</b>	<b>(9,234,442)</b>	<b>917,915</b>	<b>(10,616,518)</b>
<b>Income Before Operating Transfers</b>	<b>2,921,258</b>	<b>2,921,258</b>	<b>2,480,566</b>	<b>440,692</b>	<b>2,084,666</b>
<b>Operating Transfers Out:</b>					
Transfers to General Fund	(2,556,617)	(2,556,617)	(2,639,000)	82,383	(2,582,126)
Transfers for organizational support	(116,795)	(116,795)	(116,795)	-	(109,604)
Transfers to capital projects	(174,771)	(174,771)	(174,771)	-	(1,187,271)
<b>Total Operating Transfers</b>	<b>(2,848,183)</b>	<b>(2,848,183)</b>	<b>(2,930,566)</b>	<b>82,383</b>	<b>(3,879,001)</b>
<b>Net Change in Working Capital</b>	<b>73,075</b>	<b>73,075</b>	<b>(450,000)</b>	<b>523,075</b>	<b>(1,794,335)</b>

**WINTER PARK ELECTRIC UTILITY METRICS**  
**September 30, 2016**  
**(Unaudited)**

	<b><u>FY'16</u></b>	<b><u>FY'16</u></b>	<b><u>FY'16</u></b>	<b><u>Variance</u></b>	
	<b><u>YTD</u></b>	<b><u>Annualized</u></b>	<b><u>Budget</u></b>	<b><u>from</u></b>	<b><u>FY'15</u></b>
				<b><u>Budget</u></b>	
<b><u>Other Financial Parameters</u></b>					
Debt Service Coverage		2.35			2.87
Fixed Rate Bonds Outstanding	67,115,000				69,065,000
Auction Rate Bonds Outstanding	1,050,000				1,220,000
Total Bonds Outstanding	68,165,000				70,285,000
Principal Retired	2,120,000				1,735,000
Balance Owed on Advance from General Fund	-				-
Cash Balance	918,966				(916,075)
<b>Current year change in cash balance</b>	<b>1,835,041</b>				
 <b><u>Fuel Cost Stabilization Fund Balance:</u></b>					
Beginning Balance	1,687,784				
Fuel Revenues	14,528,756				
Fuel Expenses	(14,083,240)				
Ending Balance	<u>2,133,300</u>				
<b>Current year change in fuel stabilization fund</b>	<b>445,516</b>				

**Notes**

Fiscal Years run from October to September; FY'16 is 10/1/15 to 9/30/16



**Cash and Investment Portfolio (excluding pension funds and bond proceeds)**  
**30-Sep-16**

Issuer	CUSIP	Purchase Date	Quantity	Estimated Price	Coupon Rate	Cost	Market Value	Maturity Date	Moody's Rating	S & P Rating	Percentage of Total Cash and Investments	Percentage of Long-Term Investments
<b>Short-term funds:</b>												
Bank of America					0.25%	\$ 4,036,860	\$ 4,036,860					
SeacoastBank					0.25%	\$ 1,161,457	\$ 1,161,457					
Money Market Fund					0.00%	\$ 693,751	\$ 693,751					
Certificate of Deposit					0.45%	\$ 100,942	\$ 100,230	12/29/16				
State Board of Administration (SBA)					0.57%	\$ 19,136	\$ 19,136					
<b>Total short-term funds</b>						<b>\$ 6,012,146</b>	<b>\$ 6,011,434</b>				10.91%	
<b>Long-term investments:</b>												
<b>US Treasury Note Investments (backed by full faith and credit of the United States Government):</b>												
US TREASURY NOTES	912828K66	09/09/15	\$ 1,000,000	99.977	0.50%	\$ 998,750	\$ 999,770	04/30/17	AAA			
US TREASURY NOTES	912828UA6	02/07/13	\$ 1,000,000	99.914	0.63%	\$ 992,580	\$ 999,140	11/30/17	AAA			
US TREASURY NOTES	912828Q94	06/09/16	\$ 2,000,000	100.016	0.75%	\$ 2,000,000	\$ 2,000,320	04/30/18	AAA			
US TREASURY NOTES	912828P53	06/27/16	\$ 1,000,000	99.797	0.75%	\$ 1,000,000	\$ 997,970	02/15/19	AAA			
US TREASURY NOTES	912828TR1	02/23/16	\$ 1,000,000	100.281	1.00%	\$ 992,500	\$ 1,002,810	09/30/19	AAA			
US TREASURY NOTES	912828L32	09/09/15	\$ 1,000,000	101.219	1.38%	\$ 992,500	\$ 1,012,190	08/31/20	AAA			
US TREASURY NOTES	912828S27	07/05/16	\$ 1,000,000	99.883	1.13%	\$ 1,010,156	\$ 998,830	06/30/21	AAA			
US TREASURY NOTES	912828G53	09/09/15	\$ 1,000,000	103.289	1.88%	\$ 1,002,188	\$ 1,032,890	11/30/21	AAA			
<b>Total US Treasury Note Investments</b>						<b>\$ 9,000,000</b>	<b>\$ 8,988,674</b>				16.42%	18.43%
<b>Government National Mortgage Investments (backed by full faith and credit of the United States Government):</b>												
GNMA II ARM PASS THRU POOL 8258	36202KE76	05/04/99	\$ 490,000	102.399	1.75%	\$ 1,727	\$ 1,768	08/20/23				
GNMA PASS THRU POOL 372024	36204KG98	05/21/98	\$ 1,730,000	114.424	6.50%	\$ 37,266	\$ 42,642	01/15/24				
GNMA PASS THRU POOL AD1605	36180CYA1	02/01/13	\$ 1,000,000	102.313	2.00%	\$ 657,316	\$ 672,520	01/15/28				
GNMA II PASS THRU POOL 2562	36202CZ30	02/08/01	\$ 2,500,000	114.771	6.00%	\$ 32,598	\$ 37,413	03/20/28				
GNMA PASS THRU POOL 497581	36210NXJ3	02/11/99	\$ 500,000	115.899	6.00%	\$ 14,026	\$ 16,256	01/15/29				
GNMA II PASS THRU POOL 2795	36202DC82	02/08/01	\$ 2,000,000	113.986	6.50%	\$ 18,689	\$ 21,303	08/20/29				
GNMA II PASS THRU POOL 2997	36202DKJ9	01/31/01	\$ 1,717,305	114.849	6.50%	\$ 7,049	\$ 8,096	11/20/30				
GNMA PASS THRU POOL 574674	36200WMX6	03/27/08	\$ 1,700,000	111.851	5.00%	\$ 32,349	\$ 36,182	04/15/34				
GNMA II PASS THRU POOL 3839	36202EHQ5	01/30/08	\$ 1,000,000	107.989	4.50%	\$ 125,987	\$ 136,052	04/20/36				
GNMA II PASS THRU POOL 4071	36202EQY8	01/18/08	\$ 1,000,000	109.818	5.00%	\$ 76,333	\$ 83,827	01/20/38				
GNMA 09-9 TA REMIC MULTICLASS CMO	38374TDH4	03/17/09	\$ 1,000,000	103.644	4.50%	\$ 78,774	\$ 81,644	08/20/38				
GNMA 10-31 AP REMIC MULTICLASS CMO	38376XL50	04/12/10	\$ 1,000,000	103.776	4.00%	\$ 212,009	\$ 220,015	08/20/38				
GNMA PASS THRU POOL 702875	36296V2G2	05/10/10	\$ 1,015,000	107.648	4.00%	\$ 520,912	\$ 560,751	07/15/39				
GNMA 13-28 DE REMIC MULTICLASS CMO	38378FWG1	02/08/13	\$ 1,000,000	97.652	1.75%	\$ 663,355	\$ 647,779	12/20/42				
GNMA 13-42 DE REMIC MULTICLASS CMO	38378JFT4	03/13/13	\$ 1,000,000	99.331	1.75%	\$ 259,104	\$ 257,371	01/20/43				
<b>Total Government National Mortgage Investments</b>						<b>\$ 18,652,305</b>	<b>\$ 2,737,494</b>				5.13%	5.75%
<b>Agencies which are non-full faith and credit):</b>												
<b>Federal Farm Credit Investments:</b>												
FEDERAL FARM CREDIT	3133ECMJ0	04/22/13	\$ 1,000,000	99.990	0.74%	\$ 1,000,000	\$ 999,900	07/25/17	AAA	AA+		
FEDERAL FARM CREDIT	3133ECNY6	05/03/13	\$ 1,000,000	99.950	0.95%	\$ 1,000,000	\$ 999,500	05/08/18	AAA	AA+		
FEDERAL FARM CREDIT	3133EFWX1	01/22/16	\$ 2,000,000	100.000	1.27%	\$ 2,000,000	\$ 2,000,000	01/28/19	AAA	AA+		
FEDERAL FARM CREDIT	31331KAU4	01/21/11	\$ 1,000,000	105.400	3.33%	\$ 1,000,000	\$ 1,054,000	01/28/19	AAA	AA+		

**Cash and Investment Portfolio (excluding pension funds and bond proceeds)**  
**30-Sep-16**

Issuer	CUSIP	Purchase Date	Quantity	Estimated Price	Coupon Rate	Cost	Market Value	Maturity Date	Moody's Rating	S & P Rating	Percentage of Total Cash and Investments	Percentage of Long-Term Investments
FEDERAL FARM CREDIT	3133EGRN7	08/10/16	\$ 1,000,000	99.770	1.47%	\$ 1,000,000	\$ 997,700	02/17/21	AAA	AA+		
FEDERAL FARM CREDIT	3133EEF28	02/23/16	\$ 1,600,000	100.080	1.65%	\$ 1,600,000	\$ 1,601,280	03/01/21	AAA	AA+		
FEDERAL FARM CREDIT	3133EGQP3	08/16/16	\$ 1,000,000	100.060	1.44%	\$ 1,000,000	\$ 1,000,600	08/16/21	AAA	AA+		
FEDERAL FARM CREDIT	3133EGQM0	08/16/16	\$ 1,500,000	100.010	1.62%	\$ 1,500,000	\$ 1,500,150	02/10/22	AAA	AA+		
FEDERAL FARM CREDIT	3133EGRK3	08/10/16	\$ 1,000,000	99.930	1.60%	\$ 1,000,000	\$ 999,300	08/17/22	AAA	AA+		
<b>Total Federal Farm Credit Investments</b>			<b>\$ 11,100,000</b>			<b>\$ 11,100,000</b>	<b>\$ 11,152,430</b>				20.25%	22.73%
<b>Federal Home Loan Banks Investments:</b>												
FEDERAL HOME LOAN BANK	3130A92Z3	08/30/16	\$ 1,300,000	99.750	1.07%	\$ 1,300,000	\$ 1,296,750	08/28/19	AAA	AA+		
FEDERAL HOME LOAN BANK	3130A95J6	08/18/16	\$ 3,000,000	99.970	1.00%	\$ 3,000,000	\$ 2,999,100	03/16/21	AAA	AA+		
FEDERAL HOME LOAN BANK	3130A6UY1	12/03/15	\$ 2,500,000	100.070	2.00%	\$ 3,000,000	\$ 2,501,750	12/30/21	AAA	AA+		
<b>Total Federal Home Loan Banks Investments</b>			<b>\$ 6,800,000</b>			<b>\$ 7,300,000</b>	<b>\$ 6,797,600</b>				12.34%	13.85%
<b>Federal Home Loan Mortgage Investments:</b>												
FEDERAL HOME LN MTG CORP	3134G34QO	03/05/13	\$ 1,000,000	100.000	1.10%	\$ 1,000,000	\$ 1,000,000	07/30/18	AAA	AA+		
FEDERAL HOME LN MTG CORP	3134G42X5	04/11/13	\$ 2,000,000	100.330	1.05%	\$ 2,000,000	\$ 2,006,600	10/30/18	AAA	AA+		
FEDERAL HOME LN MTG CORP	3134GABK9	08/09/16	\$ 2,000,000	99.840	1.16%	\$ 2,000,000	\$ 1,996,800	08/28/19	AAA	AA+		
FEDERAL HOME LN MTG CORP	3134G8FL8	12/22/15	\$ 2,000,000	99.810	1.25%	\$ 1,000,000	\$ 1,996,200	12/30/20	AAA	AA+		
FHLMC GOLD PASS THRU POOL J01091	3134G8JF7	02/02/16	\$ 1,000,000	99.810	1.25%	\$ 1,000,000	\$ 998,100	01/29/21	AAA	AA+		
FHLMC GOLD PASS THRU POOL J01091	3128PCF80	01/17/06	\$ 1,000,000	104.340	5.00%	\$ 52,082	\$ 54,342	02/01/21				
FHLMC GOLD PASS THRU POOL C91020	3128P7DZ3	03/21/07	\$ 1,000,000	112.510	5.50%	\$ 46,866	\$ 52,728	03/01/27				
<b>Total Federal Home Loan Mortgage Investments</b>			<b>\$ 10,000,000</b>			<b>\$ 7,098,948</b>	<b>\$ 8,104,770</b>				14.71%	16.52%
<b>Federal National Mortgage Association Investments:</b>												
FEDERAL NATL MTG ASSN	3136G16F1	12/11/12	\$ 1,000,000	99.970	1.00%	\$ 1,000,000	\$ 999,700	06/27/18	AAA	AA+		
FEDERAL NATL MTG ASSN	3136G13U1	11/27/12	\$ 1,000,000	100.410	1.10%	\$ 1,000,000	\$ 1,004,100	12/18/18	AAA	AA+		
FEDERAL NATL MTG ASSN	3136G2WX1	01/25/16	\$ 2,250,000	99.990	1.25%	\$ 2,250,000	\$ 2,249,775	02/22/19	AAA	AA+		
FEDERAL NATL MTG ASSN	3136G3L45	07/26/16	\$ 4,800,000	99.430	1.25%	\$ 4,800,000	\$ 4,772,640	07/28/20	AAA	AA+		
FEDERAL NATL MTG ASSN	3136G02B6	10/16/12	\$ 1,000,000	100.000	1.60%	\$ 1,000,000	\$ 1,000,000	10/30/20	AAA	AA+		
FEDERAL NATL MTG ASSN	3136G2CS4	01/12/15	\$ 1,000,000	100.150	2.00%	\$ 1,000,000	\$ 1,001,500	01/27/22	AAA	AA+		
FNMA PASS THRU POOL 255994	31371MKF3	03/12/07	\$ 1,605,000	112.708	5.50%	\$ 106,294	\$ 119,802	11/01/25				
<b>Total Federal National Mortgage Association Investments:</b>			<b>\$ 12,655,000</b>			<b>\$ 11,156,294</b>	<b>\$ 11,147,517</b>				20.24%	22.72%
<b>Total Federal Instrumentalities (United States Government Agencies which are non-full faith and credit):</b>			<b>\$ 40,555,000</b>			<b>\$ 36,655,242</b>	<b>\$ 37,202,317</b>				67.54%	75.82%
<b>Total Long-Term Investments</b>			<b>\$ 68,207,305</b>			<b>\$ 48,381,410</b>	<b>\$ 49,069,856</b>					
<b>Total Short-Term Funds and Long-Term Investments</b>						<b>\$ 54,393,556</b>	<b>\$ 55,081,290</b>					
<b>Blended Portfolio Rate of Return</b>							<b>1.28%</b>					
<b>Average Maturity (in years)</b>							<b>4.39</b>					



# city commission agenda item

Item type	Non-Action Item	meeting date	November 28, 2016		
prepared by	Dori Stone	approved by	<input checked="" type="checkbox"/>	City Manager	
department	Planning & Comm. Development		<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
vision themes	<input checked="" type="checkbox"/> Cherish and sustain city's extraordinary quality of life.				
	<input checked="" type="checkbox"/> Plan growth through a collaborative process that protects city's scale and character.				
	<input checked="" type="checkbox"/> Enhance city's brand through flourishing arts and culture.				
	<input type="checkbox"/> Build and embrace local institutions for lifelong learning and future generations.				

## subject

Opportunity for staff to offer an overview of remaining four Comprehensive Plan Elements: CIE, Housing, Transportation and Future Land Use

## background

At the City Commission meeting on November 14, 2016, the City Commission asked staff to briefly review the remaining Comprehensive Plan Elements that will be scheduled for a public hearing on December 12, 2016. Staff prepared hard copies of the matrix, Goals, Objectives and Policies and the Data, Inventory and Analysis for each of the remaining elements. Attached are copies of the matrixes to be discussed.

Staff will present a short PowerPoint presentation outlining the changes to each Element.

The following chart relates to Chapter 7 – Capital Improvements, and outlines all of the Goals, Objectives, and Policies of this Chapter. Space is provided to the right to add any comments/recommendations. Staff comments/changes to this element of the Comprehensive Plan are shown as black underlined text.

No.	Capital Improvements Element	Comments
1	<b>7-1: CAPITAL IMPROVEMENTS GOALS, OBJECTIVES, AND POLICIES:</b> Provide and maintain public facilities and services which protect and promote the public health, safety and general welfare of our citizens, which accommodate new development and redevelopment, which are accomplished by conserving and protecting natural resources, which promote the maintenance of existing facilities, which achieve acceptable levels of service and which minimizes public cost.	
2	<b>OBJECTIVE 7-1.1: CAPITAL IMPROVEMENTS ELEMENT SHALL BE THE MECHANISM FOR MANAGING CAPITAL INVESTMENTS.</b> The City shall use the Capital Improvement Element, the financially feasible Capital Improvement Plan and its construction of capital improvements for facilities needed to meet existing deficiencies, to accommodate desired future growth and to replace obsolete or worn-out facilities in an efficient, cost effective and timely manner throughout the horizon of this Comprehensive Plan.	
3	<b>Policy 7-1.1.1: Mechanism for Implementing the Comprehensive Plan</b> The Capital Improvements Element shall be the mechanism used to guide and implement the Comprehensive Plan through the programming of public facilities, and services as identified in the other elements of the Comprehensive Plan.	
4	<b>Policy 7-1.1.2: Duration of the Capital Improvement Program and Implications of Financially Feasible Requirement.</b> The Capital Improvements Element shall include a financially feasible capital improvement program for a five year period. It shall have identified funding sources and shall be reviewed and updated annually in order to maintain a continual five year priority and outline of capital improvements planned for implementation. <del>Funding sources for projects within the first three years of the Capital Improvement Program must be committed by the City Commission.</del>	Not required by Chapter 163.
5	<b>Policy 7-1.1.3: Public Facilities Addressed in the Capital Improvements <u>Plan</u> Program.</b> The Capital Improvements Element shall pertain to the following public facilities: <u>Transportation Traffic Circulation</u> including transportation by vehicles, bicycles, pedestrians and via roads, public parking and municipal mass transit Sanitary Sewer Potable Water Drainage and Stormwater Management Recreation and Open Space Public Schools	Updates scope of Transportation Element.

6	<p><b>Policy 7-1.1.4: Capital Improvements Defined.</b> Capital Improvements shall be identified in the Comprehensive Plan and this element when they have an estimated cost of \$25,000 or more and a minimum useful life of three years or more and shall fulfill one of three purposes as follows:</p> <p>Maintain, upgrade, repair or replace existing public facilities</p> <p>Eliminate existing facility deficiencies</p> <p>Expand or improve existing public facilities or provide new public facilities</p>	
7	<p><del><b>Policy 7-1.1.5: Implications of Capital Improvement for Public Facilities Not Included in Policy 1.3.</b></del> Recommended capital improvements for public facilities identified in other sections of the Comprehensive Plan, but not specified in Policy 7-1.3, shall also be included in the Capital Improvements Element, but shall not be part of the Concurrency Management System.</p>	Not required per Chapter 163.
8	<p><del><b>Policy 7-1.1.6: Capital Improvements Identified in Development Agreements or DRI Development Orders.</b></del> Capital improvements identified in any development agreements or any development orders executed for a Development of Regional Impact shall be included in the Capital Improvements Element.</p>	DRI's have been eliminated.
9	<p><del><b>Policy 7-1.1.7: Criteria for Assigning Priorities.</b></del> Capital improvements shall be prioritized in a manner that is consistent with the City's Comprehensive Plan. This prioritization system shall be based on the following three components: 9J-5.016 (3) (c)(1)</p> <p><del>_____ A. <b>Criteria for Determining Timing of Capital Improvements.</b> The timing of capital improvements shall be assessed based upon the City's acknowledgement that the public's health and safety is first priority, followed by the need to maintain the public investment in existing public facilities and services. Third priority shall be to eliminate existing deficiencies in a timely manner, followed by providing new and expanded facilities needed to accommodate new growth. The timing of capital improvements shall be prioritized as follows:</del></p> <p><del>To preserve the health and ensure the safety of the public by eliminating or preventing a critical breakdown in the City's public facilities and service;</del></p> <p><del>To maintain existing public facilities through a repair and replacement program;</del></p> <p><del>To eliminate existing deficiencies in a timely manner;</del></p> <p><del>To accommodate new growth through the timely planning and construction of new or expanded public facilities.</del></p> <p><del>_____ B. <b>Criteria for Determining the Location of Capital Improvements.</b> The location of needed capital improvements shall promote efficient and compact development patterns through the strategic placement of new and expanded facilities that support the existing land use patterns of the City.</del></p>	Not required per Chapter 163.

10	<b>Policy 7-1.1.8: Amendments to the Capital Improvements Program.</b> The Capital Improvements Element shall present a Five Year Capital Improvements Plan that is updated annually, no later than December 1 of each year. <del>and amended consistent with the City's bi-annual Comprehensive Plan amendment schedule and process. However, necessary capital improvements, repairs, etc. may be programmed in the Five Year Capital Improvements Plan through the normal amendment process without limitation to the bi-annual restriction.</del>	
11	<b>Policy 7-1.1.9: Adoption of Capital Improvement Budget.</b> The City shall adopt a capital improvements budget as part of the annual budgeting process.	
12	<b>OBJECTIVE 7-1.2: COORDINATION OF LAND USE, PUBLIC FACILITIES, AND FISCAL MANAGEMENT DECISIONS.</b> The City shall coordinate land use decisions and available or projected fiscal resources with a Schedule of capital improvements which maintains adopted level of service standards and which meets the existing and future facility needs.	
13	<b>Policy 7-2.1.1: Implement Adopted Level of Service Standards.</b> The Capital Improvements Plan shall implement the level of service standards established and adopted for <u>transportation roads</u> , <del>(Table 2-4, page 2-19/20)</del> , sanitary sewer <del>(Policy 4-2.1.1, page 4-2)</del> , solid waste <del>(Policy 4-3.1.1, page 4-4)</del> , drainage <del>(Policy 4-4.1.1, page 4-5)</del> , potable water <del>(Policy 4-5.1.1, page 4-7)</del> , parks and recreation <del>(Policy 6-1.1.1, page 6-1)</del> , and public schools <del>(Policy 9-1.1.1, page 9-1)</del> as identified in this Plan within those respective elements or sub-elements. If conditions exist such that it is not economically feasible for the City to implement these established and adopted levels of service standards through its Capital Improvement Plan, then Policy 7-2.1.2 will take precedence with respect to that particular public facility for facilities which are deficient.	Deletes references
14	<b>Policy 7-2.1.2: Implications of Concurrency Management Program.</b> In accordance with the City's concurrency management system, no development orders or permits will be issued unless the facilities needed to meet level of service standards are provided for concurrent with the demands for those facilities.	
15	<b>Policy 7-2.1.3: Coordinated Transportation System.</b> The City will coordinate with FDOT regarding the Department's adopted work program, and with MetroPlan Orlando regarding the Long Range Financially Constrained Network, the five year Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP) for mobility projects within and adjacent to the City. In addition, the City will coordinate with Orange County on mobility projects within and adjacent to the City regarding the Orange County Long-Range Transportation Plan (LRTP) or the most current annual update by reference as the County's 20-year roadway improvement program. This annually updated plan represents the County's cost-feasible improvement plan that addresses current and future roadway deficiencies.	



15a	<b>Policy 7-2.1.4: Coordination with FDOT Adopted Five-Year Work Program.</b> Annual updates of the City's Capital Improvements Element and Capital Improvements Program shall include <u>as adopted by reference the adopted</u> applicable State and County facilities contained within the Orange County and FDOT adopted work programs, and any local facility improvement proposed by the City will consider the above-mentioned State and County programs and plans.	Adding adoption by reference.
16	<del><b>Policy 7-2.1.5: Regional Mobility Strategy.</b> The City currently has agreed to contribute our proportional share of funding for the commuter rail project, which is a cornerstone of the regional mobility strategy. In order to continue this partnership and cooperation, the City commits, on a proportional basis, to program and budget revenue, coordinating the City's Five Year Capital Improvements Plan with improvements identified in the regional Transportation Improvement Program (TIP), the Orlando Urban Area Transportation Study (OUATS) Financially Constrained Network, and the OUATS Transportation Needs Network. This commitment will be maintained provided the State of Florida continues to provide the authority for the City to assess transportation impact fees and implement proportionate fair share extractions from new development and redevelopment.</del>	Updated by new policies included in the transportation element.
17	<del><b>Policy 7-2.1.6: Capacity Increasing Improvements on the State Highway Roadway System.</b> The City commits, in the review and approval of development and redevelopment projects that generate net new trips, to require improvements that increase the capacity or and decrease the travel time on the adjacent state facility. The City shall utilize techniques such as, but not limited to elimination of driveways, turn lane improvements, joint access, cross access, acceleration and deceleration lanes, signal timing and other improvements determined in consultation with the Florida Department of Transportation.</del>	Updated by new policies included in the transportation element.
18	<b>Policy 7-2.1.7: Water and Waste Water Supply.</b> Prior to the issuance of a building permit or any development order, the City shall verify with the Water and Wastewater Utility Department that adequate potable water supplies are available and adequate waste water treatment capacity exists to serve the new development. No building permit or development order shall be issued unless these water and waste water utilities are available at the time of the issuance of the building permit or development order.	
19	<b>OBJECTIVE 7-1.3: DEVELOPMENT TO FUND IMPROVEMENT NEEDS GENERATED BY SUCH DEVELOPMENT.</b> The City's land use decisions and land development code shall contain provisions for assessing new developments a pro rata share of the costs necessary to finance public facility improvements <del>as defined in Policy 7-1.3</del> , when made necessary, by the development in order to adequately maintain level of service standards.	Deletes reference

20	<b>Policy 7-3.1.1: Fiscal Impact Assessments.</b> The City staff shall provide, upon request by the Planning and Zoning <del>Board Commission</del> or the City Commission, at the time of public hearing review, an assessment of the fiscal impact on capital facility improvements needed to maintain adopted level of service standards for any residential development in excess of twenty units and any non-residential development in excess of ten thousand (10,000) square feet in size.	Name update
21	<b>OBJECTIVE 7-1.4: MAINTAINING INTERNAL CONSISTENCY WITHIN THE COMPREHENSIVE PLAN.</b> The City shall utilize the Capital Improvements Element and the Capital Improvements Plan to both require and provide that needed capital improvements identified in the other elements of the Comprehensive Plan are implemented.	
22	<b>Policy 7-4.1.1: Annual Update and Evaluation of Capital Improvement Needs.</b> The City shall annually update the Comprehensive Plan to assess and include capital improvement projects necessary to maintain level of service standards and shall include those within the Capital Improvement Element and Plan.	

23	<p><del><b>Policy 7.4.1.2: Financial Management Strategies, including Debt Management.</b></del> Capital improvements shall be financed and debt shall be managed as follows:</p> <p><del><b>Public Facilities Financed by City Enterprise Funds.</b></del> Public facilities financed by City enterprise funds, i.e., potable water, sanitary sewer, and solid waste, shall be financed by:</p> <p>Debt to be repaid by user fees and charges for enterprise services, or  Current assets, i.e., reserves, surpluses, and current revenue, or  A combination of debt and current assets</p> <p><del><b>Public Facilities Financed by Non-Enterprise Funds.</b></del> Public facilities financed by non-enterprise funds, i.e., roads, stormwater management, parks, library, law enforcement, fire service, and other City government buildings, may be financed from current assets (pay as you go financing) or as otherwise provided in this policy.</p> <p>General obligation bonds approved by referendum may be used for any non-enterprise public facilities to acquire capacity needed within the five year schedule of capital improvements or for capacity required beyond the five year schedule.</p> <p>Public facilities for non-enterprise funds may be financed by other debt, i.e., revenue bonds, capital leases, etc., subject to the referendum restrictions imposed by Section 2.14 of the City Charter.</p> <p><del><b>Debt Management.</b></del> Debt financing shall not be used to provide more capacity than is needed within the five year schedule of capital improvements for non-enterprise public facilities unless:</p> <ol style="list-style-type: none"> <li>1. _____ The excess capacity is an integral part of a capital improvement that is needed to achieve or maintain standards for levels of service, or</li> <li>2. _____ The excess capacity provides economies of scale making it less expensive than a comparable amount of capacity if acquired at a later date.</li> </ol>	Not required per Chapter 163.
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24	<p><del><b>Criteria for Managing Debt Financing.</b> The City does not utilize specific debt ratios such as the limitation on the use of revenue bonds as a percent of total debt; the maximum ratio of total debt service to total revenue; and the maximum ratio of outstanding capital indebtedness to property tax base, preferring to evaluate each issuance of debt, on a case-by-case basis.</del></p> <p><del>Although the City of Winter Park does not have an adopted debt policy, the following factors shall be considered prior to any debt financing:</del></p> <p><del>The kind and extent of public facilities being financed.</del></p> <p><del>Magnitude of the annual payments required to service the debt.</del></p> <p><del>Degree of favorable impact which the facilities acquired from debt proceeds are likely to have upon the City.</del></p> <p><del>Economic capacity of the City.</del></p> <p><del>Degree of overlapping debt of other governmental units which depend upon the same economic base or supports</del></p> <p><del>Projected rate of growth in the City.</del></p>	Not required per Chapter 163.
25	<p><del><b>Policy 7-4.1.3: Criteria in Selecting Revenues to Finance Public Facilities.</b> The City will use, to the extent possible, the following priority criteria in selecting sources of revenue to finance public facilities. Each revenue source on the list is preferred to all subsequent revenue sources on the list.</del></p> <p><del>Grants or entitlements from other levels of government and independent districts.</del></p> <p><del>Contributions by developers including dedication of land, provision of public facilities, and impact fees.</del></p> <p><del>User revenues including fees and charges for services, gasoline taxes, and benefit ——— payment for stormwater management.</del></p> <p><del>Sales tax (local option infrastructure surtax).</del></p> <p><del>Debt financing.</del></p> <p><del>There shall be no limitation on revenue debt as a percentage of total debt;</del></p> <p><del>15% shall be the limitation on debt service as a percentage of total revenue; and</del></p> <p><del>General obligation debt shall be limited to 2% of taxable value of property tax base.</del></p> <p><del>Ad valorem property taxes.</del></p> <p><del>In recognition of the fact that some revenue sources are inappropriate or not legally available for particular public facilities, the priority list is advisory rather than obligatory.</del></p>	Not required per Chapter 163.
26	<p><b>Policy 7-4.1.4: Constraints on City Ability to Finance Public Facilities.</b> The City shall not provide a public facility, nor shall it accept the provision of a public facility by others, if the City is unable to pay for the subsequent annual operating and maintenance costs of the facility.</p>	

27	<b>OBJECTIVE 7-1.5: COORDINATING LAND USE, PUBLIC FACILITY, AND FISCAL MANAGEMENT DECISIONS.</b> The City shall manage the land development process, utilize its concurrency management system, and its Capital Improvements Plan so that public facility needs existing or created do not exceed the ability of the City to fund and provide; or require the provision of needed capital improvements.	
28	<b>Policy 7-5.1.1: Coordinating Decisions Relating to Development and Debt Financing.</b> The City shall constrain its development decisions so that any necessary public debt financing decision made necessary by said development are made concurrently with the development decision.	
29	<b>Policy 7-5.1.2: Debt Financing and City Commission Commitments.</b> The City shall not include any capital project needing public debt financing in the Capital Improvements Element or Plan unless the City Commission has voted affirmatively to sponsor such financing or bond issue and agreed to hold any required referendum.	
30	<b>Table 7-1 Schools Level of Service (LOS)</b>	Deleted as duplication as they are included in the respective elements.
31	<p style="text-align: center;"><b><u>WINTER PARK FIVE YEAR CAPITAL IMPROVEMENT PLAN</u></b></p> <p style="text-align: center;"><b><u>Introduction</u></b></p> <p>The <del>format of the</del> Winter Park five year capital improvement plan <del>is provided below and to provide a narrative description of the status of each program to provide an understanding of the status of previous projects, the status of currently committed and programmed improvements and the direction for committed projects in the time horizon beyond the current five year program. This section shall be updated annually, as part of the annual budget adoption ordinance, as also may be amended during each fiscal year.</del></p>	Narrative not required.
32	<p style="text-align: center;"><b>CITY OF WINTER PARK CAPITAL IMPROVEMENT PLAN</b></p> <p style="text-align: center;"><b>Fiscal Year 2016-2017</b></p>	New addition of the Five Year Five Year Capital Improvements Plan adopted September, 2016.
33	<b>Descriptions of potable water, water supply plan, waste water/sanitary sewer, recreation and open space, drainage, transportation</b>	Deleted as duplication as they are included in the respective elements.
34	<b><u>CONCURRENCY MANAGEMENT SYSTEM</u></b>	Deleted from element as the CMS has been adopted into the Land Development Code.

35	<p><b>Concurrency Management System Goals, Objectives and Policies</b></p> <p><b>GOAL CMS 1-1: TIMING OF THE AVAILABLE PUBLIC FACILITIES.</b> Those public facilities or services necessary for growth and development <del>as identified in 9j-5.0055(1)(a)</del> shall be available concurrent with the need for or demand for those public facilities or services.</p>	Reference deleted
36	<p><b>OBJECTIVE CMS 1-1: CONTINUE TO ENFORCE A CONCURRENCY MANAGEMENT SYSTEM.</b> The City shall continue to enforce the adopted concurrency management system and concurrency monitoring system. <del>as required to implement the portions of Chapter 163 Florida Statutes and Rule 9 J5 F.A.C.</del></p>	Reference deleted
37	<p><b>Policy CMS 1.1: Components of Concurrency Management System.</b> The City shall continue to enforce the adopted concurrency management system which ensures that public facilities and services needed to support development are available concurrent with the impacts of such development. <del>and that concurrency management system shall provide, at a minimum, the following:</del></p>	Further narrative not required
38	<p><b>Policy CMS 1.2: Enforcing Concurrency Management through Development Orders, Building Permits, and Development Approvals and Denials.</b> Development orders, building permits, development approvals, etc. including those for governmental and institutional uses will be issued subject to the condition that those required facilities and services sufficient to maintain adopted level of service standards will be in place when the impacts of development occur as detailed in Policy CMS 1.1.</p> <p><del>If services and facilities sufficient to maintain adopted level of service standards are not in place when the impacts of development occur, development orders and permits will be denied. Implementation of this policy shall not limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380; or development that has been issued a final local development order and development has commenced and is continuing in good faith; or development that has vested rights as determined by applicable case law determining vested rights.</del></p>	Further narrative not required
39	<p><del><b>Policy CMS 1.3: Concurrency Management and Land Development Regulations.</b> The City's land development regulations will specifically list the application requirements for development permits that reflect the informational needs for the determination of concurrency, and application forms shall be developed accordingly.</del></p>	Already implemented in LDC



40	<del><b>Policy CMS 1.4: Continue to Maintain update Concurrency Management Tracking System.</b> The City will maintain an inventory of existing public facilities. The inventory shall include capacities or deficiencies which identify the status of all public facilities and services with the adopted level of service standard in the comprehensive plan. The inventory shall continue to be updated by January 1st each year thereafter.</del>	Already implemented in LDC
41	<b>Policy CMS 1.5: Concurrency Assessment.</b> When reviewing applications for such development orders, the City shall perform a Concurrency Assessment to ensure that public facilities are available concurrent with the impacts of the proposed development. To conduct the assessment, the Concurrency inventory shall be used as a base for the establishment of existing conditions. The capability of existing public facilities to service new development shall then be determined by using the adopted Level of Service Standards. Finally, a determination of concurrency shall be made. Such determination may include conditions of approval which are deemed necessary for concurrency to be ensured.	
42	<b>Policy CMS 1.6: Concurrency Management Information Required Prior to Issuance of a Development Order.</b> Prior to the issuance of a development order for a proposed new development the following shall be identified: <ol style="list-style-type: none"> <li>1. The impacts created by the proposed development;</li> <li>2. Whether the public facilities covered under the Concurrency Management System will be available concurrent with the impacts of new development at the adopted level;</li> <li>3. The facility improvements or additions that are required to ensure the finding of concurrency; and,</li> <li>4. The entity responsible for the design and installation of all required facility improvements or additions.</li> </ol>	
43	<b>Policy CMS 1.7: Required Timing of Development.</b> All development approvals shall have a time period specified in the development order or permit in which development must commence. The time period may involve two or more phases but the timing of each phase shall be specified in the development order or permit. If deemed necessary by the City, the development order or permit may prescribe a time schedule for the initiation of the various components of the development process such as, but not limited to, land clearing, filling, and foundation pouring.	

The following chart relates to Chapter 3 – Housing, and outlines all of the Goals, Objectives, and Policies of this Chapter. Space is provided to the right to add any comments/recommendations. Staff comments/changes to this element of the Comprehensive Plan are shown as black underlined text. This element was reviewed by the Comp Plan Task Force (their comments are shown in blue underlined text), Planning and Zoning Board, and the Economic Development Advisory Board.

No.	Housing Element	Comments
1	<p><del><b>3-1: HOUSING GOALS, OBJECTIVES, AND IMPLEMENTING POLICIES.</b> This section stipulates goals, objectives, and implementing policies for the Housing Element pursuant to §163.3177(6)(f), FS, and §9J 5.010(3)(a-c), FAC. The purpose of this element is to provide guidance for appropriate plans and policies needed to meet identified or projected needs in the supply of housing. These plans and policies address governmental activities as well as provide direction and guidance to the efforts of the private sector.</del></p> <p><del>This Chapter (element) is based upon the data and analysis requirements pursuant to subsection 9J-5.005(1)(2), FAC and subsection 9J 5.010(1)(2), FAC.</del></p>	
2	<p><b>GOAL 3-1: QUALITY RESIDENTIAL ENVIRONMENT. ALLOCATE LAND AREA TO ACCOMMODATE A SUPPLY OF HOUSING RESPONSIVE TO THE DIVERSE HOUSING NEEDS OF THE EXISTING AND FUTURE POPULATION AND ASSIST THE PRIVATE SECTOR TO RESPONSIVELY MEET DEMAND FOR AFFORDABLE—QUALITY HOUSING IN NEIGHBORHOODS PROTECTED FROM INCOMPATIBLE USES AND SERVED BY ADEQUATE PUBLIC FACILITIES.</b></p>	
3	<p><b>OBJECTIVE 3-1.1: PROVIDE ADEQUATE SITES FOR RESIDENTIAL USES.</b> Winter Park shall develop programs and strategies to achieve adequate, <u>affordable</u> and safe housing for current and future populations and shall maintain a sufficient ratio of affordable housing. <del>To achieve this objective the following policies shall be implemented.</del></p>	
4	<p><b>Policy 3-1.1.1: <del>Zoning Map and Regulations to Support Housing Diversity.</del></b> The City’s Future Land Use Map shall allocate land resources that shall accommodate a range of housing densities and structure types <u>to accommodate current and future population needs.</u></p>	

**~~Policy 3-1.1.2: Sufficient Land and Space for Housing.~~** The Future Land Use Map shall provide sufficient land area for residential uses necessary to accommodate current and future population. Sufficient acreage and space for housing shall be protected or promoted through the following actions:

**~~1. Protection of Residential Areas.~~** The City shall not accept any amendment to the Future Land Use Map that proposes to change a residential designation to a non-residential category except when such amendment addresses at least one of the following:

- ~~a. The proposed land use amendment is consistent with a redevelopment plan approved by the City.~~
- ~~b. The proposed amendment is necessary to accommodate facilities for public schools, public safety or city services.~~
- ~~c. The proposed land use designation allows development that includes mandatory residential uses, and development designs must conform to site design standards mandated in the Future Land Use Element.~~
- ~~d. As part of the amendment application, the property owner/applicant enters into a housing agreement with the City to replace any demolished residential units at locations acceptable to the City; or in lieu thereof, the applicant contributes an equivalent fee to the City for the construction of affordable housing similar to the housing type that was removed.~~
- ~~e. Affordable housing construction or fees may qualify for credit against all or a portion of the City's affordable housing linkage fee.~~
- ~~f. The amendment is necessary to accommodate a nursing home, adult congregate care facility, or other housing for the elderly.~~
- ~~g. The land use amendment occurs as an administrative amendment initiated by the City.~~

**~~2. Residential Uses in Complementary Development.~~** Housing shall be allowed to occur with complementary commercial and office development when placed within appropriate Future Land Use Map designations. The Future Land Use Map shall provide one or more zoning districts that promote this type of development. The Future Land Use Element provides standards and criteria for this type of development shall be incorporated into the LDC to assure compatibility between residential and non-residential land uses.

6	<del>Policy 3-1.1.3</del> <b>Policy 3-1.1.2: Technical Assistance to Private Sector.</b> The City shall provide technical assistance, information, and referral services to the housing industry in order to maintain housing production sufficient to meet the projected housing market demand, particularly for affordable housing construction activities.	
7	<b>Policy 3-1.1.43: Developing Public/Private Partnerships.</b> Winter Park <del>shall</del> assist in explore <del>shall continue</del> developing local government partnerships with the private sector to improve and expand the efficiency of the affordable housing delivery system. Similarly, the City shall also coordinate the installation of community facilities supportive to housing resources.	Per CPTF recommendation
8	<b>Policy 3-1.1.54: Housing Demands Generated by College Students.</b> The City shall coordinate with Rollins College regarding campus development plans and the availability of on-campus housing. The purpose of such coordination is to evaluate impacts college enrollment places on housing needs within the City.	
9	<b>OBJECTIVE 3-1.2: SUPPORT AND PROTECT AFFORDABLE HOUSING.</b> The City shall establish programs and activities intended to discourage loss of existing affordable housing and to <del>initiate construction of new affordable housing. The City shall direct its resources to maintain and preserve the housing stock within the affordability range for households with income levels at or below the low/moderate income level as indexed by the Orange County Housing and Community Development Division. The following policies shall be used to measure the protection and provision of affordable housing.</del> support construction of new affordable housing.	

**Policy 3-1.2.1: Winter Park Affordable Housing Program.** The City shall ~~continue~~ establish programs and activities intended to support the provision ~~discourage~~ loss of existing affordable housing for moderate, low, and very low income household groups through ~~an~~ and to support construction of new affordable housing program administered by the City.

The goal of the ~~through existing~~ Winter Park Affordable Housing Program is to assure that new housing unit construction in the City accommodates affordable housing for very low, low, programs where warranted and moderate income households consistent with broader comprehensive plan policies. The Winter Park Affordable Housing Program ~~programs~~ includes, but is not limited, to the following activities intended to improve and protect the City's supply of affordable housing as well as to link qualified households with affordable housing assistance:

~~1. Support the Hannibal Square Community Land Trust.~~ The City shall support the Hannibal Square Community Land Trust (HSCLT) to further the goal of providing long term multi-generational affordable housing in the City of Winter Park. The HSCLT shall work in partnership with the City, County, State, and Federal agencies and the private sector to meet the housing needs of low and moderate income families.

**21. Affordable Housing Partnerships.** The City shall establish and support partnerships with non-profit affordable housing entities, charitable foundations and other groups as needed to accomplish the affordable housing implementation goals of the City.

**3. EstablishExplore a Land Bank Program.** The City shall ~~establish~~ will explore a land bank program for use by the City or the HSCLT ~~a private partner to implement the affordable housing goals of the City. Land would be acquired and affordable housing constructed through linkage fees, grants funds, and county housing assistance grants or other funding sources which would then be conveyed to the HSCLT. The City Commission shall consider the use of condemnation, as necessary, in order to achieve the goals of the City.~~ needed.

~~4. Density Bonus Program/Land Use Changes.~~ In cases where the City agrees to change future land use designations or zoning designations, or when planned development variances which increase the residential density of the land involved are requested, the City shall require as part of any approvals, the mandatory set aside of affordable housing units within the project or payment of fees in lieu of a set aside, based upon the terms and conditions of the implementing ordinance.

~~5.~~ **4. Affordable Housing Linkage Fee.** The City shall continue to administer and impose an affordable housing linkage fee on new development as a revenue source to fund construction of affordable or workforce housing for Winter Park residents. ~~At least once every year, as needed. Periodically~~ the City shall evaluate the linkage fee program to determine if affordable housing needs and construction costs warrant adjustment of linkage fee rates.

~~6. -~~ **Affordable Housing Construction.** The City shall continue to directly support the construction of affordable housing units through revenue generated by the affordable housing linkage fee revenue, county, state, federal programs and the private sector.

**7. Affordable Housing Rehabilitation Program.** The City shall continue to support the preservation of the existing affordable housing stock through its housing rehabilitation program in concert with Orange County.

**8. Winter Park Housing Authority.** The City shall continue to support the Winter Park Housing Authority public housing program for very low and low income households.

**9. Promote Private Sector Investment in Affordable Housing.** The City shall encourage private sector housing providers and nonprofit organizations to construct affordable housing ~~in concert with the HSCLT.~~ .

**10. Technical Assistance, Information, and Referral Services.** The City shall continue efforts to serve as a source of information regarding City and County housing assistance programs through brochures, pamphlets, and to provide staff assistance available through the City's ~~Department of Planning and Community Development~~ Department and the Winter Park Housing Authority.

**11. Identify City Owned Sites Available for Affordable Housing Development.** The City shall establish an internal review process for City owned sites suitable for development of workforce housing at various income levels.

11	<p><b>Policy 3-1.2.2: Selecting Sites for Affordable Housing.</b> The City shall continue to promote access to a broad range of housing opportunities with a full complement of public services through cooperation and coordination with the private sector, Orange County, and the East Central Florida Regional Planning Council. <del>Sites for affordable housing developments for very low, low, and moderate income households shall be approved only if such sites have access to the following facilities and services:</del></p> <ul style="list-style-type: none"> <li><del>1. Service by central potable water and wastewater systems; or, if such systems are not available, the property owner executes a recordable agreement to connect to such facility according to the schedule and payment arrangements acceptable to the City.</del></li> <li><del>2. Accessible to employment centers and shopping centers, which accommodate stores offering household goods and services needed on a frequent and recurring basis.</del></li> <li><del>3. Located on a paved street accessible to a major street (i.e., included in the City's major thoroughfare plan).</del></li> <li><del>4. Accessible to public parks, recreation areas, and/or open space systems.</del></li> <li><del>5. Located on sites having adequate surface water management and solid waste collection and disposal.</del></li> <li><del>6. Priority shall be given to location affordable housing developments within one half mile of a bus transit route.</del></li> </ul>	
12	<p><b>Policy 3-1.2.3: Barriers to Affordable Housing within Land Development Regulations.</b></p> <p>The City shall ensure that its regulatory techniques and review procedures do not create cumbersome barriers to affordable housing. As part of the evaluation, the City shall evaluate the Future Land Use Map and the Official Zoning Map to assess whether sufficient land <del>and space</del> is available to support housing types for low to moderate income households. The City's Future Land Use Map and Zoning Map shall include provisions that allow locations for diverse housing types such as, but not limited to, Planned Unit Residential Developments, cluster housing townhouses, apartment units, and apartments in upper floors above retail and office uses.</p>	
13	<p><b>Policy 3-1.2.4: Maintain a Streamlined Development Review Process.</b> Within one year from the effective date of the Winter Park Comprehensive Plan, the City shall establish a streamlined development review and permitting process for affordable <u>and workforce</u> housing developments and redevelopment.</p>	



14	<del><b>Policy 3-1.2.5: Condominium Conversion Procedures.</b> The City shall develop procedures for the conversion of rental apartments to condominiums. The adopted procedures shall at minimum address application process, notification of current renters, relocation assistance for very low to low income households, land and unit subdivision, condominium plan submittal requirements, property owner association, maintenance of common areas, minimum development and design standards for converted buildings, housing code inspection requirements, and compliance with building codes.</del>	
15	<del><b>Policy 3-1.2.6</b></del> <b>Policy 3-1.2.5: Maximize Use of Orange County Housing Programs.</b> The City shall maximize use of housing programs administered by the Orange County Division of Housing and Community Development by annually coordinating with the County to identify assistance programs and funds available to Winter Park residents. The City shall continue efforts to jointly work with the Orange County Division of Housing and Community Development regarding housing assistance programs for very low, low, and moderate income households.	
17	<del><b>Policy 3-1.2.76: Coordination with State Planning Agencies.</b></del> The City shall coordinate with the Florida Department of <del>Community Affairs</del> Economic Opportunity, Department of Health, and Department of Children and Family Services regarding grant programs available to Winter Park for affordable housing, housing rehabilitation, and group home facilities.	
18	<del><b>Policy 3-1.2.87: Coordination with Regional Agencies.</b></del> Winter Park shall continue participation on affordable housing committees sponsored by the East Central Florida Regional Planning Council.	
19	<del><b>Policy 3-1.2.98:</b></del> <b>Public Involvement in Housing Production.</b> Winter Park shall support the involvement of county, regional, state, and federal agencies in housing production, where such housing is consistent with the City's Comprehensive Plan and implementing regulations. The City shall also promote nondiscrimination in access to housing within the City by promoting fair housing laws and practices.	CPTF: "public" implies involving the public but the policy does not describe any public involvement, only agencies, recommended to remove the word "public" in the policy title.
20	<del><b>Policy 3-1.2.109:</b></del> <b>Housing Assistance Grant Programs.</b> The City shall continue to aggressively pursue grant funds from federal, state, and county agencies for affordable housing assistance, housing construction, and supporting neighborhood infrastructure improvements.	

21	<del><b>Policy 3-1.2.11: Housing Preservation through Delinquent Property.</b> The City shall coordinate with the Orange County Tax Collector to annually obtain a list of tax delinquent residential properties with the City, and to jointly evaluate potential programs where delinquent residential property within target neighborhoods or affordable housing overlay districts can be acquired or protected through the City's affordable housing program.</del>	
22	<b>OBJECTIVE 3-1.3: ELIMINATE SUBSTANDARD HOUSING CONDITIONS.</b> Winter Park shall implement activities and programs that eliminate and prevent substandard housing conditions as measured by the following policies:	
23	<b>Policy 3-1.3.1: Implement Progress to Eliminate Substandard Housing.</b> The City shall continue to ensure that new housing construction, as well as remodeling or rehabilitation of existing residences, conforms to the Florida Building Code. <del>The City shall protect and preserve the structural integrity and aesthetics of Winter Park's housing stock. At each update of the Florida Building Code, the City shall evaluate its administrative and technical manpower and the overall condition of the City's housing resources and commit necessary resources to reconciling related issues identified.</del>	
24	<del><b>Policy 3-1.3.2: Maintain Housing Condition Records.</b> The City shall conduct an annual survey of housing conditions and housing code violations for the purpose of generating remedial actions to improve housing conditions and reduce substandard or deteriorated housing.</del>  <del>The City shall attempt to contact owners of substandard housing units to communicate necessary corrective actions and to inform property owners of available federal, state, and local housing assistance programs for housing rehabilitation.</del>	CPTF recommended adding a policy here to promote the city's code enforcement department since they do a good job promoting health, safety and welfare, quality housing stock and concerns are addressed quickly
25	<b>Policy 3-1.3.3: Enforcement Program Capabilities.</b> The City shall annually monitor the City's capability to responsively remedy code enforcement violations.	
26	<b>Policy 3-1.3.4: Housing Demolition and Rehabilitation.</b> The City shall require rehabilitation of deteriorated or unsafe housing identified as a threat to the safety of occupants or the welfare of the community. If the extent of deterioration prevents rehabilitation, or if the property owner is unwilling to improve an unsafe structure, the City shall require the house to be demolished. <del>Demolition or rehabilitation shall follow practices consistent with the Florida Building Code.</del>	

27	<del><b>Policy 3-1.3.5: Safe Housing Environments.</b></del> The City shall continue to require all new residential development to install streetlights.	
28	<del><b>Policy 3-1.3.6: Aesthetic Housing Environments.</b></del> Landscaping and open space shall be designed, installed and maintained within residential development.	
29	<del><b>Policy 3-1.3.7</b></del> <b>Policy 3-1.3.5: Infrastructure Improvements for Targeted Neighborhoods.</b> The City shall continue coordination with the Orange County Division of Housing and Community Development regarding the use of Community Development Block Grant funds for infrastructure improvements within the <u>WestsideHannibal Square</u> neighborhood.	
30	<del><b>Policy 3-1.3.86: Sewer Extensions to Lower Income Neighborhoods.</b></del> The City shall maintain existing sewer allocation policies that prioritize sewer system capacity allocations for non-profit and other affordable housing projects. The City shall evaluate the merits and feasibility of a city grant program or similar assistance program to assist with costs to connect homes owned and occupied by very low and low income households to sewer lines within adjacent streets.	
31	<del><b>Policy 3-1.3.97: Coordination with Orange County Housing Improvement Programs.</b></del> The City shall continue coordination efforts with Orange County to direct housing, utility infrastructure, and weatherization improvement funds to housing and neighborhoods serving very low, low, and moderate income households. The City shall continue to support the County's designation of the <u>WestsideHannibal Square</u> neighborhood as a target community for receipt of Community Development Block Grant (CDBG) funds. The City shall provide the County with a list of infrastructure improvement needs warranting financial assistance from the CDBG program.	
32	<del><b>Policy 3-1.3.108: Implement of Green Building Practices and Programs.</b></del> The City shall develop criteria that ensures that housing developed with public subsidies be cost effective to build, durable and practical to maintain. The green building practices criteria should ensure that housing developed with public subsidies results in high-quality, healthy living environments, lower utility costs, enhanced connections to nature, protection of the environment by the conservation of energy, water, materials and other resources, and the advancement of the health of local and regional ecosystems.	

33	<p><b>OBJECTIVE 3-1.4: PROVIDE OPPORTUNITIES FOR GROUP HOMES, HOUSING FOR THE ELDERLY AND FOSTER CARE FACILITIES.</b> Pursuant to the requirements of <del>§163.3177(6)(3), FS, the</del> <u>The</u> City shall promote housing opportunities to meet the special housing needs of the elderly, dependent children, the physically and mentally handicapped, and the developmentally disabled.</p>	
34	<p><b>Policy 3-1.4.1: Foster Care Facilities.</b> The City shall continue to comply with state Laws and administrative rules designed to ensure availability of sites for foster care and adult foster care facilities.</p>	

**Policy 3-1.4.2: Community Residential Homes.** The City shall ~~allow~~continue to permit community residential homes in residential zoning districts providing they meet criteria established below and in Chapter 419, Florida Statutes. ~~In addition, such facilities shall be regulated to manage their location and intensity, including impacts on infrastructure, and to encourage development on sites accessible to public and private services generally required by their residents. The location of community residential facilities shall be dispersed throughout the regional housing market to serve special housing needs, disabilities, or handicaps. The facilities shall foster nondiscrimination and shall provide residential alternatives to institutionalization. Within one year from the effective date of the Winter Park Comprehensive Plan, the City shall enforce the following performance standards:~~

~~1. Group homes of six (6) or fewer unrelated residents licensed as community residential homes by the Department of Children and Family Services (DCFS) shall be deemed a single family unit and shall be allowed in single family or multifamily zoning districts. These homes shall not be located within a radius of one thousand feet (1,000') of another existing duly licensed group home of six (6) or fewer residents.~~

~~2. Group homes that have from seven (7) to fourteen (14) unrelated residents operating as a family, including support staff, and are duly licensed by DCFS as a community residential care facility shall be allowed in areas that accommodate multifamily residential uses unless the City finds that the group home siting as proposed:~~

~~a. Does not conform to other existing policies applicable to multifamily uses in the City.~~

~~b. Does not meet applicable licensing criteria established and determined by DCFS, including requirements that the home be located to assure the safe care and supervision of all clients in the home.~~

~~c. Would result in excessive concentration of community residential homes. A home that is located within a radius of one thousand two hundred feet (1,200') of another existing community residential home in a multifamily zone shall be an over concentration of such homes that substantially alters the nature and character of the area. A home that is located within a radius of five hundred feet (500') of an area of single-family zoning substantially alters the nature and character of the area.~~

~~3. All distance requirements cited in this subsection shall be measured from the nearest point of the existing home or area of single family zoning to the nearest point of the proposed home.~~

~~4. All sites for group homes shall contain requisite infrastructure including potable water, adequate surface water management, approved system of wastewater disposal, and an adequate system for solid waste collection and disposal. The sites shall also be free of safety hazards and all structures shall comply with City ordinances and applicable State laws including licensing and program requirements of the State.~~

36	<p><b>Policy 3-1.4.3: Housing for the Elderly.</b> The City shall promote the development of housing alternatives specially designed for the elderly, including but not limited to adult living facilities and adult foster care homes. Sites for elderly housing shall be approved only if such sites have access to the following facilities and services: <u>appropriate infrastructure and are located on a paved street.</u></p> <p>1. <del>Serviced by potable water and wastewater systems.</del></p> <p>2. <del>Located on a paved street.</del></p> <p>3. <del>Located on sites having adequate surface water management and solid waste collection and disposal.</del></p>	
37	<p><b>Policy 3-1.4.4: Nursing Homes.</b> The City shall establish adequate locations for nursing homes with appropriate zoning categories and where central sewer and wastewater systems are available.</p>	
38	<p><b>Policy 3-1.4.5: Adequate Sites for Special Housing Needs.</b> <del>The future land use map and official zoning map shall provide adequate locations from</del> <u>The City shall support the placement of</u> group homes, nursing homes, foster care facilities, and other special housing needs licensed or certified by the State of Florida. Location criteria for such uses shall at minimum comply with state laws.</p>	
39	<p><b>OBJECTIVE 3-1.5: CONSERVE NEIGHBORHOOD QUALITY AND EXISTING HOUSING STOCK.</b> The useful life of existing housing stock shall be conserved through effective implementation of laws, ordinances, and programs directed toward preserving neighborhood quality, including conservation of natural and historic resources, maintenance of community facilities, and code enforcement activities. <del>This objective shall be achieved through the implementation of the following policies:</del></p>	
40	<p><b>Policy 3-1.5.1: Conservation and Rehabilitation of Existing Housing.</b> The City shall develop a method to promote the conservation and rehabilitation of existing housing as a means to maintain or improve residential conditions and reduce the waste of valuable housing resources, particularly those serving as affordable <u>and workforce</u> housing.</p>	



41	<b>Policy 3-1.5.2: Maintain Active Code Enforcement.</b> The City shall maintain an active code enforcement program to identify housing accommodations and nonresidential structures that fail to comply with the minimum specification governing building construction, electrical facilities, water and wastewater systems, construction, fire protection, flood prevention, and housing. Where structures fail to meet minimum standard specifications, the City shall duly notice the violation and stipulate conditions for bringing the structure into compliance.	
42	<del><b>Policy 3-1.5.3: Discourage Factors Creating Blight.</b> The City shall avoid potential blighting influences within residential areas through land use planning. Where unavoidable, adverse impacts of land use transition shall be minimized through performance criteria requiring adequate screening, landscaping, and other design features which promote land use compatibility and appropriate land use transition.</del>	
43	<del><b>Policy 3-1.5.4</b></del> <b>Policy 3-1.5.3: Supportive Facilities and Services for Quality Residential Neighborhoods.</b> The City shall ensure that sufficient systems for delivery of public facilities and services supportive to a quality residential environment have been planned, designed and implemented where possible. <del>Such facilities include potable water, wastewater, transportation, and drainage. A capital improvement program and budget predicated on continuing review and evaluation of evolving housing problems and related infrastructure issues shall be the principal tool for realizing this policy.</del>	
44	<del><b>Policy 3-1.5.5: Implementing Principles and Standards.</b> The City shall enforce best management principles and practices that include standards, techniques, and strategies to guide the conservation, rehabilitation, and demolition of housing units.</del>	
45	<del><b>Policy 3-1.5.6</b></del> <b>Policy 3-1.5.4: Compatibility of New Residential Development.</b> Winter Park shall continue to ensure compatibility of proposed development with adjacent and surrounding residential uses. <del>The City shall not permit any development that is inconsistent, in terms of residential unit type, lot sizes, housing size, tenure status (i.e., short term rentals) and setbacks, with that allowed by the Winter Park Comprehensive Plan or the LDC, through recognition of existing neighborhoods and minimizing impacts created by new development through the city's Land Development Code regulations.</del>	
46	<del><b>Policy 3-1.5.75: Compatibility of Development.</b> Where the Future Land Use Map and Official Zoning Map allow</del> allows both residential and commercial development, the City shall allow residential uses to occur with compatible nonresidential uses.	

47	<b>Policy 3-1.5.86: Monitor Housing Demolition.</b> The City shall annually conduct an inventory of residential construction activity resulting in the demolition of residential units. As part of the inventory process, the City shall identify demolition removing affordable housing.	
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48	<del><b>Policy 3-1.5.9: Residential Design and Development Standards.</b> Within one year from the effective date of the Winter Park Comprehensive Plan, the City shall study the public interest in residential development and design standards addressing the following:</del>  <del>1.Subdivisions, redevelopment, and plot plans promoting design and development compatible with neighborhood and community road concepts set forth in the Transportation Element.</del>  <del>2.Building scale and general architectural standards to promote cohesive neighborhood character and compatible architectural vernacular.</del>	
49	<del><b>Policy 3-1.5.10</b></del> <b>Policy 3-1.5.7: Protection of Established Neighborhoods.</b> The City shall formalize a process for neighborhood planning to address traffic, parking, infrastructure and utility needs, land use and density ranges consistent with neighborhood character, natural and historic features, and public facilities to serve the area.	
50	<b>OBJECTIVE 3-1.6: PRESERVE RESIDENTIAL HISTORIC OR ARCHITECTURAL RESOURCES.</b> Neighborhood character and housing diversity shall be protected and enhanced by preserving residential structures determined to have historic or architectural significance to the City of Winter Park by the Florida Master Site File survey report <u>entitled Architectural Survey and National Register Evaluation</u> , which may be amended from time to time.	CPTF: remove the title reference
51	<b>Policy 3-1.6.1: Historical Housing Assessment and Survey.</b> The City shall <del>include historic housing when updating</del> update its Florida Master Site File survey and National Register of Historic Places evaluation report as described in the Future Land Use Element.	
52	<del><b>Policy 3-1.6.2: Monitor Historic Preservation Activities and Demolition.</b> On an annual basis, the City shall review and evaluate the historic preservation ordinance to measure its effectiveness for protecting historic sites identified in the Florida Master Site File report. A report documenting the status of historic buildings and sites shall include historic housing and shall be presented to the City Commission by April 1 of each year.</del>	

53	<b><del>Policy 3-1.6.36.2: Accessory Dwelling Units.</del></b> The City shall continue to support the ability for properties that have been individually designated to the Winter Park Register of Historic Places or properties in historic districts that have been designated to the Winter Park Register of Historic Places to preserve existing accessory dwelling units and to construct new accessory dwelling units.	
54	<b>OBJECTIVE 3-1.7: RELOCATION ASSISTANCE AND HOUSING.</b> Winter Park shall apply uniform and equitable treatment of persons and businesses displaced by City programs, consistent with §421.55, FS. <del>This objective shall be measured through the implementation of the following policies:</del>	
55	<b>Policy 3-1.7.1: Provide Alternative Housing Sites for Displaced Structures and Residents.</b> The City shall continue to enforce its displacement and relocation ordinance. <del>The City shall assist any person who is required to move from any real property as a direct result of the City's acquisition of such real property for public purposes, by locating other sites and housing facilities available to them as replacement dwellings.</del> When planning the location of land acquisition for public purposes, the City shall assess the degree of displacement that may occur.  Winter Park shall not be responsible for relocating City residents who are displaced as the result of county, state, or federal programs or actions.	
56	<b><del>Policy 3-1.7.2: Relocation Caused by Condominium Conversions or Redevelopment.</del></b> <del>The City shall require that the applicant or developer providing reasonable notice to tenants that must relocated because of condominium conversions or redevelopment projects.</del>	
57	<b><del>OBJECTIVE 3-1.8: EVALUATION OF HOUSING ELEMENT EFFECTIVENESS.</del></b> <del>The City shall use the following policies to continually evaluate the effectiveness of the Housing Element.</del>	
58	<b><del>Policy 3-1.8.1: Review the Impact of Change Indicators on Housing Policy.</del></b> <del>Major shifts in the magnitude, distribution, and characteristics of population and housing shall serve as indicators of change in various aspects of housing supply and demand. The City shall annually monitor changes in condition of affordable housing units and potential historic sites through programs identified in other policies of this element. The policy implications of major changes in housing supply and demand shall be evaluated on a continuing basis. Housing policy shall be refined as needed in order to remain responsive to changing problems and issues.</del>	

59	<del><b>Policy 3-1.8.2: Schedule, Budget, and Implementing Programmed Activities.</b></del> The timely scheduling, programming, budgeting, and implementing of housing programs identified in this Element shall be evidence of the City's effectiveness in carrying out a systematic program for implementing adopted housing goals, objectives, and policies.	
60	<del><b>Policy 3-1.8.3: Coordinate with Public and Private Sectors.</b></del> While continually implementing and evaluating the Housing Element, the City shall maintain a process of intergovernmental coordination as well as coordination with private sector groups interested in housing policy and programs. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving housing problems and issues.	
61	<del><b>Policy 3-1.8.4: Achieve Effective Resolution of Housing Goals, Objectives, and Policies.</b></del> The effectiveness of the Housing Element shall be measured by the City's success in achieving housing goals, objectives, and policies. The Housing Element incorporates a systematic planning process for identifying housing problems, issues and corrective actions.	
62	<b>OBJECTIVE 3-1.9: COORDINATE HOUSING TYPE AND LOCATION WITH TRANSPORTATION PROGRAMS AND PLANS.</b> Land use and transportation planning shall be coordinated to assure that affordable housing, higher density housing, and housing for special groups are accessible to future public transportation programs or transit systems.	
63	<del><b>Policy 3-1.9.1: Develop a Transportation Corridor Residential Plan which is linked to the Transportation Element.</b></del> The City shall develop a Transportation Corridor Residential Plan which seeks to expand residential uses along the major transportation corridors in the city and make them accessible to the region's public transportation linkages. Affordable housing, housing for special groups, and higher density residential development shall be encouraged to locate along or within a quarter mile of roadways served or likely to be served by bus transit systems. The standards and criteria in the Future Land Use Element shall be enforced to assure compatibility between residential and non-residential land uses.	
64	<del><b>Policy 3-1.9.2</b></del> <b>Policy 3-1.9.1: Transportation Programs.</b> The City shall make available information and brochures regarding any transportation assistance programs available to the elderly, disabled, or transportation-disadvantaged.	
65	<b>Policy 3-1.9.32: Integration of Residential Design with Transportation Plans.</b> Residential development and design shall be compatible in scale, type and density to adjacent roadway functional classifications.	

The following chart relates to Chapter 2 – Transportation Element, and outlines all of the Goals, Objectives, and Policies of this Chapter. Space is provided to the right to add any comments/recommendations. Comments/changes to this element of the Comprehensive Plan are shown as black underlined text. This element was reviewed by the Planning and Zoning Board comments are shown in red underlined text, Comp Plan Task Force comments are shown in green underline text, Economic Development Advisory Board comments are shown in turquoise underline text, and Transportation Advisory Board comments are shown in purple underline text.

No.	Transportation Element	Comments
1	<p style="text-align: center;"><b>INTRODUCTION TO THE TRANSPORTATION ELEMENT</b></p> <p><del>“We should strive to make Winter Park not only the most beautiful city in Florida, but the most beautiful small city in the whole United States.”</del></p> <p><del><b>William C. Comstock</b></del> <del><b>1923</b></del></p> <p><del>The City of Winter Park has always been shaped by transportation decisions. Loring Chase and Oliver Chapman originally platted the town in 1881 to include a grid network of streets and a train station in the center of a 10-acre park.</del></p> <p><del>In fact, the City of Winter Park owes much of its value, both economic and quality of life, to its long-standing mastery over its transportation system. With a few exceptions in the 1960’s and 70’s, Winter Park’s transportation decisions, based on a vision to preserve the City’s character and quality of life, have helped shape the City to become one of the most livable and memorable communities in Florida. Major milestones in the evolution of the City’s transportation system and its sculpting of Winter Park’s urban fabric include:</del></p> <ul style="list-style-type: none"><li><del>▪ The original interconnected street layout in 1881;</del></li><li><del>▪ The first train station built in 1882;</del></li><li><del>▪ Implementation of the street tree program in the 1920s;</del></li><li><del>▪ The battle to shift Interstate 4 out of the City in the 1950s;</del></li><li><del>▪ Completion of the Park Avenue Master Plan in the 1990s;</del></li><li><del>▪ The reclamation and beautification efforts of Orlando Avenue (US 17/92) in the 2000s;</del></li><li><del>▪ Bricking of Pennsylvania Lake Sue Avenues and the ensuing City-wide brick street program in the 2000s; and</del></li><li><del>▪ Commuter Rail project participation in 2007.</del></li></ul> <p><del>The results of these deliberate efforts have created a sustainable village development pattern where pedestrians, cyclists, transit riders, and motorists are all partners in mobility and the streets are treated as an important element of the public realm, connecting and stabilizing neighborhoods, improving the city’s aesthetics, providing economic value to the City, and allowing for healthy recreational activities.</del></p> <p><del>Winter Park’s Comprehensive Plan is the foundation for the City’s planning and development process. The responsibility of the Transportation Element within the City’s Comprehensive Plan is to strengthen the City’s policy framework and to ensure Winter Park can continue to define its transportation system’s design and function so that it can continue to contribute to, not burden, the community’s quality of life. Through this Transportation Element, Winter Park intends to continue to integrate its community-wide land use and urban design with its transportation goals and objectives. The City’s adequate transportation facility regulations (Concurrency Management) have been revised to be consistent with the Transportation Element’s Goals, Objectives and Policies.</del></p> <p><del>The concurrency requirements of Florida’s Growth Management Act were intended to provide an administrative check to ensure that the long-range comprehensive plans adopted by each local government are being implemented so that adequate facilities are being provided. This Transportation Element will allow the City of Winter Park to describe exactly what it wants its transportation system to evolve into and how it will physically fit in the City while providing broad-based policies that ensure the creation of a balanced transportation system where the private vehicle, pedestrian, bicycle, bus or other transit contribute to a balanced transportation system that reinforces Winter Park’s character and quality of life.</del></p> <p><del>The Comprehensive Plan Transportation Task Force outlined the specific mission of the Transportation Element as:</del></p> <p><del>“Winter Park will continue to be a walkable, pedestrian and bicycle friendly, sustainable, treed, relaxed, beautiful, safe, urban village that promotes neighborliness and courtesy among its citizens and visitors.”</del></p> <p><del><b>Winter Park Transportation Task Force</b></del> <del>The Transportation Element documented in the following pages is intended to establish the policy framework aimed at accomplishing this specific mission.</del></p>	

No.	Transportation Element	Comments
2	<del><b>2-1: TRANSPORTATION GOALS, OBJECTIVES, AND IMPLEMENTING POLICIES.</b> This section stipulates goals, objectives, and implementing policies for the Transportation Element pursuant to 9J-5, FAC. The purpose of this element is to provide guidance for appropriate plans and policies needed to insure a walkable, pedestrian and bicycle friendly, treed, relaxed, beautiful, safe, urban village that promotes neighborliness and courtesy among citizens and visitors.</del>	
3	<del><b>Goal 2-1: BALANCED TRANSPORTATION SYSTEM.</b> It shall be the goal of The City of Winter Park desires to</del> <u>shall</u> ensure the provision of a balanced and safe transportation system that promotes a walkable, bicycle-friendly environment that encourages transit as well as ensures efficienes along the roadway network. <del>its mission. As per rule 9 J5.019(2) FAC., attached Figures 2-1-14 contain the transportation element maps and figures.</del>	Shall is more definitive than desires - approved by Comp Plan Task Force
4	<del><b>OBJECTIVE 2-1.1: SAFE AND BALANCED MULTIMODAL SYSTEM.</b> The City shall create a Mobility Plan that promotes and supports the broad transportation needs of the community. The design and character of the streets within Winter Park shall create a safe, balanced multimodal transportation system that promotes and supports the broad transportation needs of current and future Winter Park residents. The attached Figures 13 and 14 serve as the City’s official near term (five year) and long term (20 year) future transportation plan.</del>	
5	<del><b>Policy 2-1.1.1: Multimodal Activities.</b> The City defines mobility as the provision of multiple opportunities or choices in transportation modes for travel within and to/from the City through a multi-modal transportation system. The general hierarchy of modes is 1) walking, 2) bicycling, 3) transit (bus and rail), and 4) private vehicles. The primary focus or overall mobility strategy is on the minimum provision of facilities for all modes and the connectivity based upon the mode hierarchy. Where adequate facilities exist for all modes, the City will prioritize enhancing the quality and integration of the facilities based upon the mode hierarchy. <b>Transportation System Principles.</b> The continuous improvement of the City’s transportation system is dependent on coordinating all improvements to the transportation network and to develop improvements that support that network. The Transportation Element Goal recognizes transit, bicycle and pedestrian activities as alternative modes of transportation for each street in the community.</del>	Integration added by TAB.
6	<del><b>Policy 2-1.1.2: Implementation Guidelines.</b> At a minimum, the City will incorporate the following principles into the City’s Mobility Plan and under applicable sections of the City’s Land Development Code regulations:</del> <ul style="list-style-type: none"><li>• Complete Streets criteria</li><li>• Interconnected street network</li><li>• Access management</li><li>• The City’s Pedestrian and Bicycle Circulation Plan (as updated)</li><li>• Transit opportunities through Lynx, SunRail and other providers</li></ul> <del>Freight Mobility <b>Final Design for Streets.</b> The City shall seek citizen and business participation in those decision making processes related to the transportation planning process, roadway modifications, transit service, the provision of bicycle and pedestrian amenities, and other design characteristics.</del>	
7	<del><b>Policy 2-1.1.3: Policy 2-1.1.3: Provide a Bicycle Circulation System.</b> The City, in partnership with Orange and Seminole Counties, MetroPlan Orlando, and other local and state agencies, will continue to plan, fund and construct a network of bicycle facilities as depicted in the Winter Park 2010 Pedestrian and Bicycle Circulation Plan Update, as amended to increase the non-motorized transportation system.</del>	Remove date and update to allow for plan to evolve over time.
8	<del><b>Traffic Calming Improvements to Local Streets.</b> The City shall periodically monitor the traffic levels on Local streets. The City shall design and build appropriate traffic calming measures to encourage vehicular speed appropriate for the neighborhood where warranted.</del>	
9	<del><b>Policy 2-1.1.4: Policy 2-6.1: Intergovernmental Coordination.</b> The City shall coordinate with all appropriate local, regional, state, and federal agencies, particularly the Cities of Orlando and Maitland, the Counties of Orange and Seminole, FDOT, LYNX and MetroPlan Orlando regarding the location, classification, planning, and construction of needed transportation system improvements within the City. The City shall ensure that all transportation system improvements support the transportation plan of Winter Park and the Goal outlined in this element. Updates of the City’s Capital Improvements Element shall include applicable State and County facilities contained within the Orange County and FDOT adopted work programs that are located within the City of Winter Park.</del> <del><b>Implementing Regulations.</b> The City shall utilize land use, zoning, the Land Development Code, concurrency management, transportation impact analyses, proportionate fair share and other applicable regulations to coordinate the design of network facilities, transit corridors, bicycle and pedestrian facilities, appropriate setbacks, rights of way, and centerlines of the roadway network. At a minimum, the City will revise applicable regulations to incorporate the following policies for all roadways:</del> <ul style="list-style-type: none"><li>▪ The City shall promote the development of an interconnected street network.</li><li>▪ The City shall prohibit the construction of cul-de-sacs, unless required by terrain.</li><li>▪ The City will install stops signs and intersection signalization according to the warrants in the <i>Manual on Uniform Traffic Control Devices</i> (Millennium Edition).</li><li>▪ The City will evaluate the elimination of access to businesses through the installation of street medians on a case-by-case basis.</li><li>▪ The City does not support the conversion of two-way streets to one-way streets without full consultation of the impacted parties.</li><li>▪ The City shall prohibit the construction of gates for residential neighborhoods or subdivisions.</li></ul>	



No.	Transportation Element	Comments
10	<p><b>Policy 2-1.1.5: SunRail Coordination.</b> The City’s Mobility Plan will prioritize and encourage the use of SunRail through enhanced sidewalks, improved and new bicycle facilities, and greater use of technology in support of mobility.</p> <p><del><b>Pedestrian and Bicycle Advisory Board.</b> The City Council shall continue the function of the Pedestrian and Bicycle Advisory Board to review and improve the pedestrian and bicycle circulation system, and pursue and direct funding for improvements. Appointments to the Board shall be comprised of Winter Park residents made by City Council. Board Advisors shall include representatives from Planning and Community Development, Public Works, Public Safety, and Parks and Recreation.</del></p>	
11	<p><del><b>Policy 2-1.6: Tree Canopy and Landscaping along Transportation System. Route-to-School Plan.</b> The City shall by 2010 , create a plan for school access for students living within the City that walk to school and those students that walk to schools within the City. At a minimum, the plan will recommend enhancements to the sidewalk, pedestrian crossings, and bicycle network. <b>Policy 2-1.11: Preserve and Enhance Existing Tree Canopy and Landscaping along Transportation System.</b> Street trees should be an Recognizing integral part of every street. The City’s tree canopy and landscaping along the right-of-way, the City will see to protect the existing canopy and landscaping and expand it where possible in support of the Mobility Plan. include landscaping in all transportation infrastructure enhancement projects, including pedestrianways, bicycle trails, multiuse trails, traffic calming, parking facility and roadway infrastructure investments. To preserve existing canopy trees, the City shall evaluate the impacts of all infrastructure investments within the roadway and pedestrian way right of way on the existing tree canopy. Wherever possible, impacts to the existing tree canopy shall be avoided. Where trees are impacted, the City shall ensure that there is mitigation for the impacts.</del></p>	
12	<p><del><b>Policy 2-1.7: Policy 2-6.5: Support the Development of a Regional Trails System.</b> The City will coordinate with MetroPlan Orlando, the Cities of Orlando and Maitland, and Counties of Orange and Seminole to identify, program, and fund pedestrian and multiuse trails within the City limits as part of a regional trails system. In particular, bicycle facilities in the City shall connect to regional facilities, including connections between the Dinky Line Trail and trails within Mead Gardens, and the Cady Way Trail and the Cross Seminole Trail.</del></p> <p><del><b>Sidewalk Inventory.</b> The City will continue to inventory the location and conditions of the sidewalk network, as well as crosswalk locations, on all roadways.</del></p>	
13	<p><del><b>Policy 2-1.8: Policy 2-6.7: Facilitate Regional Transit at National Passenger Rail Station.</b> The City will work with FDOT, Central Florida Regional Transportation Authority and the national passenger rail system (AMTRAK) to continue transit service that links national passenger rail users with major destinations in the City and region.</del></p> <p><del><b>Sidewalk Program Principles.</b> The City currently has a Sidewalk Program. The Sidewalk Program is based upon the following principles:</del></p> <ul style="list-style-type: none"><li><del>▪ Every Arterial and Collector level facilities will have a continuous sidewalk on both sides of the street.</del></li><li><del>▪ Every Local Street will have a continuous sidewalk on one side of the street.</del></li></ul>	
14	<p><del><b>Policy 2-1.1.9: Constrained Facilities within the Transportation Network.</b> The City designates all roadways within the City as Constrained (no additional through lanes shall be added), except for Interstate 4. A comprehensive transportation study shall be required for all development or redevelopment within the City along these facilities, and if the adopted level of service cannot be met under current or future configuration, the City will determine the mitigating improvements.</del></p> <p><del><b>Sidewalk Program Priorities.</b> The priority installation of new sidewalks and the reconstruction of existing sidewalks on Arterial, Collector and Local Streets shall be generally ranked by the following categories:</del></p> <ol style="list-style-type: none"><li><del>1. Proximity to School (1 mile, or less)</del></li><li><del>2. Proximity to Transit Stop (1/4 mile, or less)</del></li><li><del>3. Proximity to Public Park (1/2 mile, or less)</del></li><li><del>4. Neighborhood or resident request</del></li></ol> <p><del>The order of construction within categories shall be determined by: vehicular traffic speed traffic, vehicular lane width, vehicular volumes, pedestrian usage, proximity to a pedestrian attractor, and construction feasibility.</del></p>	
15	<p><del><b>Policy 2-1.1.10: Policy 2-1.1.10: Functional Classification.</b> The City recognizes the roadway Functional Classification established by the Florida Department of Transportation, MetroPlan Orlando and the Federal Highway Administration; and the City designates additional roadways as City Collectors as illustrated in Figure X.</del></p> <p><del><b>Provide a Bicycle Circulation System.</b> The City, in partnership with Orange and Seminole Counties, MetroPlan Orlando, and other local and state agencies, will continue to plan, fund and construct a network of bicycle facilities as depicted in the Winter Park Bicycle Circulation Plan, to increase the non-motorized transportation system.</del></p>	
16	<p><del><b>OBJECTIVE 2-2.1: LEVEL OF SERVICE STANDARDS.</b> The City shall establish and utilize the level of service standards to determine capacity permitted by concurrency and the need for transportation improvements.</del></p>	

No.	Transportation Element	Comments																																				
17	<p><b>Policy 2-2.1: Level of Service Standards.</b> The minimum level of service peak hour standard for non-State and non-county related municipal collector streets is D and municipal local streets is C. The following shall serve as the City’s Level of Service standards on State, and County facilities as well as for transit.</p> <p><b>State Facilities:</b> Pursuant to Sec. 163.3180 (10) F.S., Strategic Intermodal System (SIS), Florida Interstate Highway System (FIHS) and Transportation Regional Incentive Program (TRIPS) roadway facilities funded by the state have level of service standards established by the FDOT by rule, and local governments must adopt those standards. Interstate 4 is the only SIS and FIHS roadway facility within the City. Currently, there are no TRIP funded facilities. Consistent with Chapter 14-94, F.S. (Statewide Minimum Level of Service Standards), the peak hour Level of Service standards for State controlled facilities within the City are as follows:</p> <table><tr><th colspan="4">Table 2-3 Peak Hour LOS Standards for State Controlled Facilities</th></tr><tr><th>Facility Type</th><th>SIS and FIHS Facilities</th><th>TRIP Funded Facilities</th><th>Other State Roads (*)</th></tr><tr><td>Limited Access Freeway</td><td>E</td><td>(N/A)</td><td>(N/A)</td></tr><tr><td>Interstate 4</td><td>D</td><td>(N/A)</td><td>(N/A)</td></tr><tr><td>Limited Access Highway</td><td>D</td><td>(N/A)</td><td>(N/A)</td></tr><tr><td>Controlled Access Highway</td><td>D</td><td>(N/A)</td><td>(N/A)</td></tr><tr><td>Other Multi-Lane</td><td>(N/A)</td><td>D</td><td>E</td></tr><tr><td>Two Lane</td><td>(N/A)</td><td>D</td><td>E</td></tr><tr><td>Roadways Parallel to Exclusive Transit Facilities</td><td>E</td><td>E</td><td>E</td></tr></table> <p>Notes: Level of Service letter designations are defined in the FDOT 2002 <i>Quality/Level of Service Handbook</i>.</p> <p>(N/A) Not Applicable</p> <p>(*) The Level of Service Standards for non-SIS, FIHS, and TRIP facilities may be set by local governments in accordance with Rule 9J5.0055, F.A.C.</p> <p><b>County Facilities:</b> Consistent with the Orange County Comprehensive Policy Plan and Concurrency Management System, the peak hour Level of Service standard for County controlled and non-SIS, FIHS and TRIP State Principal Arterials, Arterials and Collector level facilities within the City is “E”.</p> <p><b>Transit:</b> Consistent with the Orange County Comprehensive Policy Plan and Concurrency Management System, the Level of Service standard for mass transit is to maintain a person trip capacity of not less than (37,886) per weekday. Transit capacity is defined as the number of available person trips provided system-wide by mass transit.</p>	Table 2-3 Peak Hour LOS Standards for State Controlled Facilities				Facility Type	SIS and FIHS Facilities	TRIP Funded Facilities	Other State Roads (*)	Limited Access Freeway	E	(N/A)	(N/A)	Interstate 4	D	(N/A)	(N/A)	Limited Access Highway	D	(N/A)	(N/A)	Controlled Access Highway	D	(N/A)	(N/A)	Other Multi-Lane	(N/A)	D	E	Two Lane	(N/A)	D	E	Roadways Parallel to Exclusive Transit Facilities	E	E	E	
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18	<p><b>Policy 2-2.2: Techniques for Improving Level of Service.</b> Where a road link is found to be deficient, the appropriate remedy is to invest in enhancements. All public and private investments to the transportation network or adjacent parcels shall not degrade a link’s level of service.</p>																																					

No.	Transportation Element	Comments																																																	
19	<p><b>Policy 2-1.1.11: Level of Service Standards.</b> The City established the following Level of Service standards based on the tables below:</p> <p>Pedestrian LOS Standard:       LOS C Bicycle LOS Standard:       LOS C Transit LOS Standard:       LOS D Roadway LOS Standard:       LOS E</p> <p><b>Pedestrian Level of Service Thresholds</b></p> <table><tr><th rowspan="2">Functional Classification</th><th colspan="3">Sidewalk Coverage</th></tr><tr><th>LOS C</th><th>LOS D</th><th>LOS E</th></tr><tr><td>Arterials and Collectors</td><td>85% to 100%</td><td>50% to 84%</td><td>0% to 49%</td></tr><tr><td>Local Roadways</td><td>0% to 100%</td><td>n/a</td><td>n/a</td></tr></table> <p><b>Bicycle Level of Service Thresholds</b></p> <table><tr><th rowspan="2">Functional Classification</th><th colspan="3">Paved Shoulder/Bicycle Lane/Trail Coverage/Sharrow</th></tr><tr><th>LOS C *</th><th>LOS D</th><th>LOS E</th></tr><tr><td>Arterials and Collectors</td><td>85% to 100%</td><td>50% to 84%</td><td>0% to 49%</td></tr><tr><td>Local Roadways</td><td>0% to 100%</td><td>n/a</td><td>n/a</td></tr></table> <p>* - LOS C can be achieved by providing equivalent bicycle facility parallel to subject roadway.</p> <p><b>Transit Level of Service Thresholds</b></p> <table><tr><th rowspan="2">Sidewalk Coverage</th><th colspan="4">Transit Vehicles in Peak Hour in Peak Direction</th></tr><tr><th>LOS B</th><th>LOS C</th><th>LOS D</th><th>LOS E</th></tr><tr><td>0% to 84%</td><td>≥ 5</td><td>≥ 4</td><td>≥ 3</td><td>≥ 2</td></tr><tr><td>85% to 100%</td><td>≥ 4</td><td>≥ 3</td><td>≥ 2</td><td>≥ 1</td></tr></table> <p>The City recognizes the appropriate method for measuring roadway level of service as the methods described in the latest Highway Capacity Manual (HCM) published by the Transportation Research Board (TRB). Other acceptable methods include evaluating level of service using the FDOT 2013 Quality/Level of Service Handbook (including FDOT programs such as ARTPLAN), and MetroPlan Orlando’s Travel Time Runs. The acceptable K factors and D factors shall be the most recently measured values at the location being evaluated. Values for future conditions shall be determined by the City’s Traffic Engineer. The City shall consider level of service calculations based on more in-depth studies of roadway operation as these are available, provided that such studies are prepared in a professionally acceptable manner and, if necessary, are subjected to independent review and confirmation. Such studies may be performed by regional agencies, the City and/or individual developers subject to the stipulations herein.</p>	Functional Classification	Sidewalk Coverage			LOS C	LOS D	LOS E	Arterials and Collectors	85% to 100%	50% to 84%	0% to 49%	Local Roadways	0% to 100%	n/a	n/a	Functional Classification	Paved Shoulder/Bicycle Lane/Trail Coverage/Sharrow			LOS C *	LOS D	LOS E	Arterials and Collectors	85% to 100%	50% to 84%	0% to 49%	Local Roadways	0% to 100%	n/a	n/a	Sidewalk Coverage	Transit Vehicles in Peak Hour in Peak Direction				LOS B	LOS C	LOS D	LOS E	0% to 84%	≥ 5	≥ 4	≥ 3	≥ 2	85% to 100%	≥ 4	≥ 3	≥ 2	≥ 1	
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20	<p><b>Policy 2-1.12: Provide Service to Public Facilities.</b> The City shall coordinate with all appropriate transportation providers to evaluate and expand, if necessary, transportation infrastructure investments to parks, recreational facilities, schools, community centers, government offices, and health care facilities.</p>																																																		
21	<p><b>Policy 2-1.13: Administrative Classification.</b> The administrative classifications for roadways within Winter Park are listed in Table 2-1.</p> <table><tr><th colspan="3">Table 2-1: Administrative Classifications</th></tr><tr><td>Administration</td><td>State Designation</td><td>Local Designation</td></tr><tr><td rowspan="5">State</td><td>US 17-92</td><td>Orlando Avenue</td></tr><tr><td>SR 423</td><td>Lee Road</td></tr><tr><td>SR 426</td><td>Fairbanks Avenue, Aloma Avenue</td></tr><tr><td>SR 527</td><td>Orange Avenue (US 17-92 to Clay Avenue</td></tr><tr><td>SR 400/I-4</td><td>Interstate 4</td></tr><tr><td>City</td><td colspan="2">All Other Roads</td></tr></table>	Table 2-1: Administrative Classifications			Administration	State Designation	Local Designation	State	US 17-92	Orlando Avenue	SR 423	Lee Road	SR 426	Fairbanks Avenue, Aloma Avenue	SR 527	Orange Avenue (US 17-92 to Clay Avenue	SR 400/I-4	Interstate 4	City	All Other Roads																															
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22	<p><b>Policy 2-1.14: Functional Classification.</b> The functional classification for the roadways within Winter Park are listed in Table 2-2.</p> <table><tr><th colspan="2">Table 2-2: Functional Classification of Roads within Winter Park</th></tr><tr><th>Roadway</th><th>Functional Classification</th></tr><tr><td>Interstate 4</td><td>Limited Access Freeway</td></tr><tr><td>Fairbanks/Osceola/Brewer/ Aloma Avenue (SR 426)</td><td>Principal Arterial</td></tr><tr><td>Lee Road (SR 423)</td><td>Principal Arterial</td></tr><tr><td>Orange Ave (SR 527)</td><td>Principal Arterial</td></tr><tr><td>Orlando Ave (US 17-92)</td><td>Principal Arterial</td></tr><tr><td>Glenridge Avenue</td><td>Collector</td></tr><tr><td>Howell Branch Avenue</td><td>Collector</td></tr><tr><td>Lakemont Avenue</td><td>Collector</td></tr><tr><td>Clay Avenue</td><td>Collector</td></tr><tr><td>Denning Drive (N. of Orange Ave)</td><td>Collector</td></tr><tr><td>Morse Boulevard</td><td>Collector</td></tr><tr><td>New York Avenue</td><td>Collector</td></tr><tr><td>Palmer Avenue</td><td>Collector</td></tr><tr><td>Park Avenue</td><td>Collector</td></tr><tr><td>Pennsylvania / Lake Sue/W. P. Road</td><td>Collector</td></tr><tr><td>Temple Avenue</td><td>Collector</td></tr><tr><td>Webster Avenue</td><td>Collector</td></tr><tr><td>Winter Park</td><td>Collector</td></tr><tr><td>Cady Way</td><td>Collector</td></tr><tr><td>Alabama Drive</td><td>Collector</td></tr><tr><td>Canton Avenue</td><td>Collector</td></tr><tr><td>Holt Avenue</td><td>Collector</td></tr><tr><td>Minnesota Avenue</td><td>Collector</td></tr><tr><td>Mizell Avenue</td><td>Collector</td></tr><tr><td>Perth Avenue</td><td>Collector</td></tr><tr><td>Interlachen Avenue</td><td>Collector</td></tr><tr><td>New England Avenue</td><td>Collector</td></tr><tr><td>All Other Roads</td><td>Local</td></tr></table>	Table 2-2: Functional Classification of Roads within Winter Park		Roadway	Functional Classification	Interstate 4	Limited Access Freeway	Fairbanks/Osceola/Brewer/ Aloma Avenue (SR 426)	Principal Arterial	Lee Road (SR 423)	Principal Arterial	Orange Ave (SR 527)	Principal Arterial	Orlando Ave (US 17-92)	Principal Arterial	Glenridge Avenue	Collector	Howell Branch Avenue	Collector	Lakemont Avenue	Collector	Clay Avenue	Collector	Denning Drive (N. of Orange Ave)	Collector	Morse Boulevard	Collector	New York Avenue	Collector	Palmer Avenue	Collector	Park Avenue	Collector	Pennsylvania / Lake Sue/W. P. Road	Collector	Temple Avenue	Collector	Webster Avenue	Collector	Winter Park	Collector	Cady Way	Collector	Alabama Drive	Collector	Canton Avenue	Collector	Holt Avenue	Collector	Minnesota Avenue	Collector	Mizell Avenue	Collector	Perth Avenue	Collector	Interlachen Avenue	Collector	New England Avenue	Collector	All Other Roads	Local	
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23	<p><b>Policy 2-1.15: Street Tree Program.</b> The City will continuously fund its Street Tree Program. The City shall revise current procedures in the Street Tree Program on Arterial, Collector and Local roadways to further the following principles:</p> <ul style="list-style-type: none"><li>• Trees shall be installed in areas equal to or larger than 25 square feet.</li><li>• The City shall fund the installation of street trees.</li><li>• The City shall initiate the installation of trees on all Arterial, Collector and Local Streets and shall maintain an ongoing tree maintenance program.</li><li>• The installation of the trees will be made in accordance with applicable State, County and local roadway design standards, including but not limited to recovery areas and line of sight standards.</li></ul>																																																													
24	<p><b>Policy 2-2.3: Numerical Indicators.</b> In order to measure the achievement of the mobility goals established in the Comprehensive Plan, the City shall annually collect the following numerical indicators:</p> <ul style="list-style-type: none"><li>• Vehicular: crash rates, daily and peak hour traffic counts</li><li>• Bus Transit: ridership, revenue hours, revenue miles (for routes that serve Winter Park)</li><li>• Pedestrian and bicycle: crash rates, sidewalk inventory (including location and conditions), bicycle facility inventory</li><li>• Commuter Rail Transit: ridership (boarding and alightings), revenue hours, revenue miles</li></ul>																																																													

No.	Transportation Element	Comments
25	<p><del><b>Policy 2-2.4: Monitoring and the Commuter Rail Before and After Study.</b> The Federal Transit Administration requires the collection and analysis of information to identify the impacts of the Central Florida Commuter Rail Transit project and the accuracy of the forecasts prepared during project planning and development on five key project characteristics generated during project planning and development: (1) project scope; (2) transit service levels; (3) capital costs; (4) operating and maintenance costs; and (5) ridership patterns and revenues. The Florida Department of Transportation (FDOT) will conduct the Central Florida Commuter Rail Transit (CFCRT) Project’s Before and After (B&amp;A) Study, which will report on the five project characteristics at the five major milestones. The study is intended to track changes in these characteristics, assess the changes, and report on the factors that influenced these changes. The City of Winter Park will assist FDOT in this study with regard to the Winter Park Station, and will utilize the information collected to assess the mobility impact of the CFCRT Project on the City’s transportation network. Based on this information and the data collected in 2-2.3, the City shall work with FDOT and the regional funding partners to enhance the positive aspects of the CFCRT project, and assist FDOT and the MPO in making adjustments to the regional mobility strategy, including the identification of additional mobility improvements.</del></p>	
26	<p><del><b>Policy 2-2.5: Constrained Roadways.</b> The following roadways are designated constrained within the City of Winter Park.</del></p> <ul style="list-style-type: none"><li><del>▪ State</del><ul style="list-style-type: none"><li><del>○ Lee Road (SR 423), west of SR 400/I 4</del></li><li><del>○ Fairbanks Avenue, Aloma Avenue (SR 426)</del></li><li><del>○ Orange Avenue (SR 527), US 17-92 to Clay Avenue</del></li></ul></li><li><del>▪ City</del><ul style="list-style-type: none"><li><del>○ Local Streets,</del></li><li><del>○ Orange Avenue, US 17-92 to SR 426</del></li></ul></li></ul> <p><del>As with all development or redevelopment within the City, development applications along these facilities shall be subject to concurrency, and if needed, proportionate fair share. A comprehensive transportation study shall be required, and if the adopted level of service cannot be met under current or future configuration, the City will determine the mitigating improvements. Through the City’s transportation concurrency and proportionate fair share regulations, private developers shall contribute to the City’s multimodal transportation system. As parcels are developed or redeveloped, the site design shall conform to applicable city, county and state standards, the requirements in the City’s Land Development Code, transportation impact analysis requirements and concurrency requirements. Improvements required of development applicants may include, but are not limited to the following:</del></p> <ul style="list-style-type: none"><li><del>▪ Intersection improvements,</del></li><li><del>▪ Traffic Calming measures,</del></li><li><del>▪ On-site pedestrian circulation plan, including connecting the public sidewalk to the primary building entrance and direct cross access connections to all adjacent parcels,</del></li><li><del>▪ Pedestrian access requirements, including extending the sidewalk network on all public streets within ¼ mile of the parcel,</del></li><li><del>▪ Bicycle parking requirements,</del></li><li><del>▪ Bicycle connections to adjacent parcels,</del></li><li><del>▪ Bicycle circulation from adjacent public streets and off-street bike trails to bicycle parking area,</del></li><li><del>▪ Connection of established transit stops to the sidewalk network,</del></li><li><del>▪ Improvements to existing transit routes including increased service levels,</del></li><li><del>▪ Improvements to increase the capacity of the commuter rail system</del></li><li><del>▪ New transit fixed routes,</del></li><li><del>▪ Transit Circulator routes.</del></li><li><del>▪ New transit fixed facilities such as Bus Rapid Transit (BRT),</del></li><li><del>▪ Incorporation of established transit stops into the site’s building placement and design, and</del></li><li><del>▪ Bus stop amenities,</del></li><li><del>▪ Transportation System Management (TSM) improvements,</del></li><li><del>▪ Intelligent Transportation Systems (ITS) improvements, and</del></li><li><del>▪ Transportation Demand Management (TDM) techniques.</del></li><li><del>▪ Roadway widenings,</del></li><li><del>▪ Improvements to parallel facilities,</del></li><li><del>▪ Creation of parallel facilities,</del></li></ul>	
27	<p><del><b>OBJECTIVE 2-3.1: PROVIDE ADEQUATE ACCESSIBILITY TO ACTIVITIES.</b> To provide adequate accessibility to land use activities, the City shall continue to adopt and enforce policies, standards, and regulations which relate the design, function, and balance of transportation facilities to the type, size and location of the land uses which they serve.</del></p>	
28	<p><del><b>Policy 2-3.1: Monitor Development and Service Level.</b> For streets within Winter Park, the City will monitor development trends and multimodal standards as part of the development review process to ensure that new development will occur concurrent to or after provision of needed transportation facilities or services.</del></p>	

No.	Transportation Element	Comments
29	<p><del><b>Policy 2-3.2: Land Development Regulations/Adequate Facilities Requirements.</b> The City shall continue to adopt and enforce policies, standards and regulations that promote a balanced transportation system. Through the policies, standards and regulations in the Land Development Code the City shall continue to require the accommodation of desirable features in site planning and design. Such features may include, but are not be limited to:</del></p> <ul style="list-style-type: none"><li><del>▪ Vehicle parking requirements, including ratio of minimum and maximums parking space requirements, with adjustments for shared parking in areas with a mix of land use types and parking development</del></li><li><del>▪ Bicycle parking requirements</del></li><li><del>▪ For all non single family zoning, on site pedestrian circulation plan, including connecting the public sidewalk to the primary building entrance and direct cross access connections to all adjacent parcels</del></li><li><del>▪ For all non single family zoning, pedestrian access requirements, including extending the sidewalk network (5 foot minimum) on all public streets within ¼ mile of the parcel</del></li><li><del>▪ Bicycle circulation from adjacent public streets and off street bike trails to bicycle parking area</del></li><li><del>▪ Connection of established transit stops to the sidewalk network</del></li><li><del>▪ Incorporation of established transit stops into the site’s building placement and design, and</del></li><li><del>▪ Adequate pedestrian, bicycle, and vehicular access from private development to on site and adjacent parks, schools, community centers, government offices and health care facilities.</del></li></ul>	
30	<p><del><b>Policy 2-3.3: Cross Access and Access Management for State Roadways.</b> To maintain or improve mobility on State roadways, sites shall be designed to manage access to State roadways. These access management techniques and activities may include, but are not limited to:</del></p> <ul style="list-style-type: none"><li><del>▪ Direct cross access connections to all adjacent parcels (except parcels with single family zoning);</del></li><li><del>▪ No inherent right of direct access to arterial streets for out parcels, unless such access is the only access available to the property;</del></li><li><del>▪ Design that directs primary access toward adjacent Collector and Local level facilities, with limited secondary access to the adjacent State roadway;</del></li><li><del>▪ Limitation of access points to one major access point or curb cut along each roadway frontage; additional access and egress points may be granted for unusually large parcels, based on site characteristics or as considered appropriate by the Traffic Engineer and approving agencies, to provide for safe and efficient site related traffic movements on adjacent street;</del></li></ul> <p>Access shall be in conformance with the Florida Department of Transportation Access Management Standards pursuant to Florida Administrative Code Chapter 14 96 (State Highway System Connection Permits, Administrative Process) and Chapter 14 97 (State Highway System Access Management Classification System and Standards) as periodically amended and updated.</p>	
31	<p><del><b>Policy 2-3.4: Development Order Approval.</b> A Development Order will not be approved unless adequate facilities are provided concurrent with the impacts of development. A Concurrency Management Ordinance is a part of the land development regulations. Adequate public facilities requirements shall include:</del></p> <ul style="list-style-type: none"><li><del>▪ Requirements as stated in Policy 2 2.5,</del></li><li><del>▪ Payment of a fee that is proportional to the additional vehicular impact on the existing City infrastructure associated with the development, and</del></li><li><del>▪ Commitment of the Developer’s fair share no later than the City’s approval to commence construction.</del></li></ul>	
32	<p><del><b>Policy 2-3.5: Transportation Impact Analysis Submittal Requirements.</b> The City has Transportation Impact Analysis criteria within the Land Development Code that requires new development to submit detailed studies addressing traffic, transit, bicycle, and pedestrian impacts. The studies will include mitigation measures to address the impact of the new development on the existing transportation network. . These studies, the cost of which are to be borne by the developer, shall be undertaken after a conference with the city staff where the study scope shall be reviewed and determined as sufficient by the City. The study then shall identify all development improvements required due to direct and indirect access, as well as the development’s related transportation improvements to meet concurrency. The costs of the identified improvements and the development’s proportionate fair share costs shall be determined from the Transportation Impact Analysis.</del></p>	
33	<p><del><b>Policy 2-3.6: Coordination and Assistance for Private Project Developers.</b> The City’s Public Works Department and Planning and Community Development Department shall coordinate with project developers in the planning and implementation of new roadways and in providing interconnections between these and existing roadways with respect to utilities, drainage, signage and permitting by providing review and comment on plans and designs.</del></p>	
34	<p><del><b>GOAL 2-2: SAFE TRANSPORTATION NETWORK.</b> Winter Park seeks to create a safe transportation system for all modes of travel.</del></p>	
35	<p><del><b>OBJECTIVE 2-2.1: SAFETY FOR ALL MODES OF TRANSPORTATION.</b> The City <del>will strive to</del> shall provide the safest possible transportation network using all means necessary including development review, technology and redesign.</del></p>	
36	<p><del><b>Policy 2-2.1.1: Transportation Safety.</b> The Winter Park Police Department will provide crash summary reports each quarter to the Transportation Advisory Board and City Staff. If determined appropriate by City staff, a study will be initiated to identify potential strategies (i.e., engineering, enforcement, education or technology) to address the safety issues associated with the crashes.</del></p>	
37	<p><del><b>Policy 2-2.1.2: Pedestrian and Bicycle Safety.</b> The City will annually review the FDOT Safety Office Geographic Information System Crash Query Tool to identify locations with multiple pedestrian or bicycle crashes and initiate studies to identify potential improvements to improve the safety for pedestrians and cyclist where warranted.</del></p>	



No.	Transportation Element	Comments
38	<b><u>Policy 2-2.1.3: Roadway Safety.</u></b> The City will annually review the FDOT High Crash Locations Web Application to determine if any high crash intersections or facilities are located in the City and if so, will initiate a study to identify potential improvements to increase the safety of the roadway or intersection.	
39	<b><u>Policy 2-2.1.2: Cross Access and Access Management.</u></b> To maintain or improve mobility and safety on roadways, sites shall be designed to manage access to roadways. These access management techniques and activities may include, but are not limited to: <ul style="list-style-type: none"> <li>• <u>Direct cross access connections to all adjacent parcels (except parcels with single family zoning);</u></li> <li>• <u>No inherent right of direct access to arterial streets for out-parcels, unless such access is the only access available to the property;</u></li> <li>• <u>Design that directs primary access toward adjacent Collector and Local level facilities, with limited secondary access to the adjacent State roadway;</u></li> <li>• <u>Limitation of access points to one major access point or curb cut along each roadway frontage; additional access and egress points may be granted for unusually large parcels, based on site characteristics or as considered appropriate by the Traffic Engineer and approving agencies, to provide for safe and efficient site-related traffic movements on adjacent street.</u></li> </ul>	Remove parcel size language – too broad and requires interpretation.
40	<b><u>GOAL 2-3: PURSUIT OF TECHNOLOGY AND INNOVATION:</u></b> The City will <del>strive to</del> be the premier community within Central Florida using advanced technology and innovation to create a safe and efficient transportation system.	Per P&Z recommendation to remove strive.
41	<b><u>OBJECTIVE 2-3.1: INNOVATIVE TRANSPORTATION INFRASTRUCTURE:</u></b> The City will embrace innovative transportation infrastructure to ensure that travel is safe and efficient, through prioritization of pedestrians, bicyclists and transit users.	
42	<b><u>Policy 2-3.1.1: Intelligent Transportation System.</u></b> The City will continue to invest in Intelligent Transportation System (ITS) solutions to improve the efficiency of the arterial roadway system as well as cross streets which serve local traffic. The ITS will consider bus priority and improved pedestrian crossings.	
43	<b><u>Policy 2-3.1.2: Web Site and Smart Phone Apps.</u></b> The City will invest in web site and smart phone apps which enhance mobility for pedestrians, bicyclists, transit riders, automobiles and freight delivery; as well as providing real time information for parking, and other transportation related activities.	
44	<b><u>Policy 2-3.1.3: Automated Vehicles.</u></b> The City will consider improvements to support automated vehicles which promote improved safety and efficiency.	
45	<b><u>Policy 2-3.1.4: Innovative Transportation Services.</u></b> The City will consider improvements to support existing and evolving innovative modes of transportation, such as bicycle sharing programs, Uber, Lyft and other such services.	
46	<b><u>Policy 2-3.1.5: Alternative Fuel.</u></b> The City will continue to support alternative fuel vehicles through encouraging the provision of charging stations throughout the City.	
47	<b><u>GOAL 2-4: FUNDING OPPORTUNITIES.</u></b> The City will pursue innovative funding strategies to implement a balanced and safe transportation system.	
48	<b><u>OBJECTIVE 2-4.1 FUNDING PARTNERSHIPS:</u></b> The City will work with governmental partnerships, private developers and the community to fund and share in the cost of a balanced transportation network	
49	<b><u>Policy 2-4.1.1 Policy 2-4.4: Transportation Funding Sources.</u></b> The City shall continue to fund transportation improvements, operation, and maintenance costs of the applicable Arterial, and all Collector and Local Streets, Sidewalk Program, Street Tree Program, and pedestrian and bicycle facilities through available sources of revenue, which include, but are not be limited to: <ul style="list-style-type: none"> <li>• <u>State and Federal funds,</u></li> <li>• <u>Constitutional gas tax,</u></li> <li>• <u>Local road and bridge ad valorem tax,</u></li> <li>• <u>Local option gas tax,</u></li> <li>• <u>Local option sales tax,</u></li> <li>• <u>General revenue funds,</u></li> <li>• <u>Special grants,</u></li> <li>• <del>Bond funding</del></li> <li>• <u>Special assessment districts, and</u></li> <li>• <del>Proportionate fair share , and</del></li> <li>• <u>Development site access and off-site impact assessments.</u></li> <li>• </li> </ul> The City may jointly fund projects <u>with other entities as appropriate.</u> <del>with Orange County, City of Orlando, City of Maitland, Florida Department of Transportation.</del>	Remove bond funding as a funding source. It is a financing technique. Broaden participation with other entities.

No.	Transportation Element	Comments
50	<b>Policy 2-4.1.2: Mobility Fees:</b> Within 24 months of adoption of the City’s Mobility Plan, the City will explore the use and implementation of a mobility fee as a means to fund improvements to the Mobility Plan.	
51	<del><b>Policy 2-4.1.3: Regional Mobility Strategy. Policy 2-4.1:</b> The City currently has agreed to contribute local funding for the Central Florida Commuter Rail Transit project-SunRail, which is a cornerstone of the regional mobility strategy. In order to continue this partnership and cooperation, the City commits, on a proportional basis, to program and budget revenue on other regional mobility improvements within the City limits, <u>which are consistent with our Mobility Plan</u>, coordinating the City’s Five-Year Capital Improvements Plan with improvements identified in <u>MetroPlan Orlando’s Transportation Improvement Program (TIP) and Long Range Transportation Plan</u>. The City will work with the Florida Department of Transportation (FDOT) in the <u>planning, implementation and operation of SunRail</u>, the regional Transportation Improvement Program (TIP), the Orlando Urban Area Transportation Study (OUATS) Financially Constrained Network, and the OUATS Transportation Needs Network. Thus, on any new future capacity increasing improvement within the City (with the exception of Interstate 4) that will be part of a future MPO Transportation Improvement Program or Long Range Financially Constrained Transportation Network, the City will track all new development trips within the City. The City will use those trips, as well as the State’s Development of Regional Impact Proportionate Share formula (as per Chapter 380.06(15)(e), Florida Statutes) to provide the City’s fair share to those future new regional improvements for the portion of the project within the City. This commitment will be maintained provided the State of Florida continues to provide the authority for the City to assess transportation impact fees and implement proportionate fair share extractions from new development and redevelopment.</del>	
52	<b>Policy 2-4.1.4: Participate in Regional Transportation Planning Efforts.</b> In order to pursue funding for the City’s Mobility Plan within the regional transportation system, the City will continue to develop its partnership with FDOT, MetroPlan Orlando and Orange County to ensure that the City’s Mobility Plan is incorporated into MetroPlan Orlando’s Long Range Transportation Plan.	
53	<del><b>OBJECTIVE 2-4.1: SHARE TRANSPORTATION COSTS.</b> The City, private developers, residents, and other partner governments shall share the costs of provision and maintenance of a balanced transportation network.</del>	
54	<del><b>Policy 2-4.2: Capacity Increasing Improvements on the State Highway Roadway System</b> The City commits, in the review and approval of development and redevelopment projects that generate net new trips, to require mobility improvements that increase the capacity and decrease the travel time on the adjacent state facility. The City shall utilize techniques such as, but not limited to elimination of driveways, turn lane improvements, joint access, cross access, acceleration and deceleration lanes, signal timing and other improvements determined in consultation with the Florida Department of Transportation. In order to facilitate more efficient regional and local mobility, the City is investigating several intersections along State roadway facilities where low cost improvements can be made by the City to improve the operating conditions. The City will coordinate with the Florida Department of Transportation on these potential improvements. <b>Policy 2-4.3: Funding of Transit Capital Improvements</b> An effective transit system is a critical component of a balanced transportation system. To promote the effectiveness of the transit system, the City shall partner with the Central Florida Regional Transportation Authority (LYNX). Where appropriate and as determined by the Transportation Impact Analysis, the City will require new development to fund up to half of bus transit capital costs, all of the capital costs for bus shelters/transit amenities, full funding for maintenance of the bus shelters/amenities and the net operations and maintenance costs for new or modified existing bus routes, less fare box revenues.</del>	
55	<del><b>Policy 2-4.5: Proportionate Fair Share</b> The City has an extensive multimodal transportation system, funded by current and past residents and business owners. New residential and business development shall pay a proportionate fair share of the cost of additional demands, caused by additional development, to that transportation network.</del>	
56	<del><b>Policy 2-4.6: Proportionate Fair Share Principles</b> The City has established a process for assessing a proportionate fair share for new development and redevelopment within the City. That process incorporates the following principles:<ul style="list-style-type: none"><li>• The proportionate fair share shall be in proportion to the additional transportation demands on the transportation system introduced by the development.</li><li>• Credits that offset the proportionate fair share charge may come from improvements to the transportation system on the development site and within a quarter mile of the site.</li><li>• Exempt from proportionate fair share are:<ul style="list-style-type: none"><li>○ Developments of single family homes or single duplexes within existing platted subdivisions of record where all infrastructure required within the subdivision to support the property has been provided by the developer, and</li><li>○ Other developments determined to introduce minimal impacts on the City’s transportation system, as defined in the land development regulations.</li></ul></li><li>• Proportionate fair share shall fund the construction, reconstruction, and maintenance of the City’s multimodal transportation system.</li></ul></del>	
57	<del><b>OBJECTIVE 2-5.1: DEVELOPMENT AND REDEVELOPMENT CONTRIBUTE TO TRANSPORTATION SYSTEM.</b> The City shall ensure that development and redevelopment of land and structures contributes to a balanced transportation system.</del>	

No.	Transportation Element	Comments
58	<del><b>Policy 2-5.1: — Reducing Travel Demand through Land Use.</b> When compatible with surrounding development, the City will require land use mix, density and site plan layout/phasing which supports reduced travel demand, shortened trip lengths, higher internal capture, and balanced trip demand.</del>	
59	<del><b>Policy 2-5.2: — Location and Design of New Facilities.</b> The City shall utilize the Transportation Element, land use, zoning, the Land Development Code, and other applicable regulations to coordinate the location and design of new roadway network facilities, transit corridors, bicycle, and pedestrian facilities.</del>	
60	<del><b>Policy 2-5.3: — Right of Way Preservation.</b> Where transportation improvement projects that further the goals of the Comprehensive Plan are planned by the City of Winter Park for roadway widening, intersection improvements, transit, bikeway or pedestrian improvements, the City shall, in review and in the issuance of building permits for new construction or redevelopment, insure that any needed right of way is protected and reserved by prohibiting building construction in these areas. The City shall seek to obtain donations or dedications of needed right of way by developers, where feasible, which may contribute to the development’s proportionate fair share due to project impacts. The aforementioned right of way protections shall be incorporated within the City’s Land Development Code.</del>	
61	<del><b>Policy 2-5.4: — Review for Safe and Convenient Traffic Circulation.</b> Building permits for all new non-residential and multi-family residential construction, reconstruction, and substantial renovation for buildings or parking lots shall be reviewed by the Police Department and modifications required, if necessary, to ensure that there is safe and convenient on-site traffic flow and access/egress for parking of both motorized and non-motorized vehicles and pedestrian and bicycle circulation.</del>	
62	<del><b>Policy 2-5.5: — Additional Demand Management Techniques for Developments Impacting Streets within the City.</b> New or expanded Developments of Regional Impacts (DRI) and large scale Planned Developments whose traffic is projected to utilize the City’s transportation network shall be subject to additional enhancement techniques and activities. To decrease the peak hour demand on the City’s transportation network , tenants shall participate in transportation demand management activities. These activities may include, but are not limited to:</del> <ul style="list-style-type: none"> <li><del>▪ Ride sharing,</del></li> <li><del>▪ Transit and bicycle accessibility,</del></li> <li><del>▪ Staggered work hours.</del></li> </ul>	
63	<del><b>Policy 2-5.6: Facilitate Vehicular Travel Reduction with Major Institutions</b> The City will work with large institutions and employers, including but not limited to Rollins College and Winter Park Memorial Hospital, to develop Transportation Demand Management measures, which may include but are not limited to a carpool program, transit subsidies, and parking programs, to reduce the vehicle miles traveled associated with students, faculty, staff, and visitors of each institution or employer.</del>	
64	<del><b>OBJECTIVE 2-6.1: COORDINATE EFFORTS.</b> The City will coordinate transportation planning, funding, design and implementation efforts with all relevant levels and agencies of government.</del>	
65	<del><b>Policy 2-6.2: — Participate in Regional Transportation Planning Efforts.</b> In order to pursue the City’s transportation plan within the regional transportation system, the City will continue its participation in MetroPlan Orlando, at a minimum through its Transportation Technical Committee, Citizens’ Advisory Committee, Bike/Pedestrian Advisory Committee, and Municipal Advisory Committee. The City will work with MetroPlan Orlando to include in the Orlando Urban Area Transportation System plan regional enhancements in the roadway network, in transit services and in pedestrian and bicycle facilities that would improve or maintain the current transportation system and are compatible with the Winter Park’s transportation plan and the Goal outlined in this element.</del>	
66	<del><b>Policy 2-6.3: Regional and Local Bus System.</b> The City will work with the Central Florida Regional Transportation Authority (LYNX) to provide local and regional transit service to existing and future residents that serves the transportation needs of City and supports the Goals of this element.</del>	
67	<del><b>Policy 2-6.4: Support Alternatives to Interstate 4 Corridor.</b> The City will work with the Florida Department of Transportation to enhance the transportation network supporting Interstate 4 by encouraging transit enhancements, access management improvements and Intelligent Transportation System measures along US 17-92 and other roadways that parallel Interstate 4.</del>	
68	<del><b>Policy 2-6.6: Regional Commuter Rail Transit System.</b> The City will work with the Florida Department of Transportation (FDOT) in the planning and implementation of the Central Florida Commuter Rail Transit System. Because of the unique character of the City and specifically the uniqueness of Central Park and the close proximity that a future station could be placed, the City will be involved in all aspects of the planning and location of a station to include station design.</del>	

No.	Transportation Element	Comments
69	<del><b>Policy 2-6.8: Regional Freight Mobility Study.</b> The City will work with MetroPlan Orlando in conducting a freight mobility study within Central Florida with the purpose of reducing or eliminating freight rail service on the CSX main line through Winter Park.</del>	
70	<del><b>Policy 2-6.9: Coordinated Transportation System.</b> The City will coordinate with FDOT regarding the Department’s adopted work program, and with MetroPlan Orlando regarding the Long Range Financially Constrained Network, the five year Transportation Improvement Program (TIP), and the Unified Planning Work Program (UPWP) for mobility projects within and adjacent to the City. In addition, the City will coordinate with Orange County on mobility projects within and adjacent to the City regarding the Orange County Long Range Transportation Plan (LRTP) or the most current annual update by reference as the County’s 20-year roadway improvement program. This annually updated plan represents the County’s cost feasible improvement plan that addresses current and future roadway deficiencies. Updates of the City’s Capital Improvements Element shall include applicable State and County facilities contained within the Orange County and FDOT adopted work programs that are within the city limits.</del>	
71	<del><b>Table 2-4: Generalized Vehicular Levels of Service</b></del>	
72	<del><b>Table 2-5: Existing Conditions Analysis</b></del>	
73	<del><b>Table 2-6: Future Year 2013 Conditions Analysis</b></del>	
74	<del><b>Table 2-7: Future Year 2018 Conditions Analysis</b></del>	
75	<del><b>Table 2-8: Future Year 2023 Conditions Analysis</b></del>	
76	<del><b>Table 2-8: Future Year 2028 Conditions Analysis</b></del>	

The following chart relates to Chapter 1 – Future Land Use, and outlines the Goals, Objectives, and Policies of the Planning Areas sections of this Chapter. Space is provided to the right to add any comments/recommendations. Staff comments/changes to this element of the Comprehensive Plan are shown as black underlined text. Planning and Zoning Board comments are shown in red underlined text, Comp Plan Task Force comments are shown in green underline text, Economic Development Advisory Board comments are shown in turquoise underline text, Community Redevelopment Advisory Board comments are shown in brown underlined text and Transportation Advisory Board comments are shown in purple underline text.

No.	Chapter 1 – Future Land Use	Comments
1	<b>GOAL 1-8. PRESERVE THE CHARACTER OF THE WINTER PARK’S NEIGHBORHOODS, THE CBD, AND FOSTER PLANNED REDEVELOPMENT INITIATIVES.</b>	
2	<b>OBJECTIVE 1-8.1: PRESERVE THE INTEGRITY AND CHARACTER OF PLANNING AREAS.</b> Land use decisions and development approvals shall be guided by the policies delineated within the planning areas mapped and identified as Planning Areas A through M. The following Future Land Use policies are unique to specific planning areas within the City of Winter Park. Future Land Use <u>Planning Area Maps</u> that depicts the boundaries and future land use pattern within each of the respective Planning Areas are also presented. The City-wide Goals, Objectives and Policies of the Future Land Use Element apply to the Planning Areas. The supplementary objectives and policies for each planning area provide additional <u>mandatory regulation</u> on future zoning or land use issues.  The Planning Areas are as follows:  PLANNING AREA A Temple/Howell Branch Planning Area PLANNING AREA B Osceola/Lakeview Planning Area PLANNING AREA C Winter Park Hospital Planning Area PLANNING AREA D Waterbridge/Brookshire Planning Area PLANNING AREA E Glenridge/Lake Sue Planning Area PLANNING AREA F Mead Garden, Virginia Heights & College Quarter PLANNING AREA G Downtown/Rollins College Planning Area PLANNING AREA H Hannibal Square Neighborhood Planning Area PLANNING AREA I North Park Avenue Planning Area PLANNING AREA J U. S. Highway 17-92 Corridor Planning Area PLANNING AREA K Lee Road Planning Area PLANNING AREA L West Fairbanks Avenue Planning Area PLANNING AREA M <u>Ravaudage Planning Area</u>	Adding a planning area for the Ravaudage project annexed since 2009.
3	<b>Planning Area A: Temple/Howell Branch</b>	
4	<b>Policy 1-A-1: Preserve Single-Family Residential Land Use.</b> The City shall preserve the single-family residential land use in the Temple/Howell Branch planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
5	<b>Policy 1-A-2: Expansions of the YMCA.</b> Any further expansion of the YMCA involving changes in future land use designations for an <u>expanded site shall be deemed to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this planning area section.</u>	Provides consistency with the approved YMCA Development Agreement
6	<b>Policy 1-A-3: Preserve Public Park and Recreational Land Uses while Expanding Wetlands Acquisition.</b> The City shall preserve the public park and recreational land uses in this planning area and shall ensure any off-site impacts from these uses are minimized. The City shall strive to expand ownership of the wetlands <u>and conservation lands</u> on the north area of this planning area near Howell Creek and south of Lake Waumpi.	Clarifies the application.
7	<b>Policy 1-A-4: Comprehensive Plan Amendments from Residential to Office/Professional to Preserve Existing Homes and Restrict Height to One-Story.</b> Comprehensive Plan amendments from Residential to Office/Professional on the south side of Howell Branch Road from the New Life Evangelical Church (1720 Howell Branch Road) east to the Seminole County line shall only be considered in context of newly constructed one-story office buildings and not the conversion of existing homes.	

No.	Chapter 1 – Future Land Use	Comments
8	<b>Policy 1-A-5: Prohibited Uses Along the Gateway Corridor of Howell Branch Road.</b> The City shall prohibit new or used car sales, auto repair businesses, resale stores or pawn shops, tattoo businesses, <u>vapor lounges and smoke shops</u> , service/gas stations, fast food businesses and additional convenience stores in the commercial areas located on Howell Branch Road, as this portion of Howell Branch Road is a gateway into the City of Winter Park.	Adds other non-desirable businesses.
9	<b>Policy 1-A-6: Continue to Acquire, Preserve and Expand Recreational Trails and Greenway, Especially along Water Frontage.</b> The City shall strive to preserve and expand the number and extent of recreational trails and greenways in this portion of the City to provide public access and enjoyment especially of the stream and waterfront environments along the City’s Howell Creek properties.	
10	<b>Policy 1-A-7: Alabama Hotel.</b> Any renovations or expansions to the Alabama Condominium or Temple House shall maintain the historic architectural character of those buildings.	Implements the 1980 PURD commitments.
11	<b>Planning Area B: Osceola/Lakeview</b>	
12	<b>Policy 1-B-1: Preserve Single-Family Homes.</b> The City shall preserve single-family residential land use in the Osceola/Lakeview planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this Comprehensive Plan. If the Genius Preserve property is proposed for additional development the city shall observe policies B-2 through B-10 as follows:	Makes the policy direction more understandable.
13	<b>Policy 1-B-2: Retaining Natural Features and Open Space.</b> Preserve the natural characteristics of the Genius Preserve property by requiring at least fifteen (15%) of the total land area be devoted to public or private park and open space exclusive of land included within lots or roads and the preservation of the natural features of the site. The City shall strive to acquire locations that have a connection to Winter Park history.	
14	<b>Policy 1-B-3: Requiring Public Roads.</b> Require all new roads to be <u>dedicated to the</u> public including the existing sections of the private portion of Genius Drive south of Henkel Circle within Windsong, which is required to be dedicated as a public street if additional development utilizes that roadway.	Clarification.
15	<b>Policy 1-B-4: Preserving Windsong Lakefront Large Lots.</b> Lot sizes shall conform to the minimum standards of the lakefront lots within Windsong which average 1.5 acres in size with minimum 150 foot frontages on the lake and streets.	
16	<b>Policy 1-B-5: Park Dedication.</b> Any required dedications of park land or open space coincident with the Genius property development shall target sensitive natural areas.	
17	<b>Policy 1-B-6: Achieving Public Access to Lakes.</b> Any required dedication of park land or open space coincident with the Genius property development shall provide for physical and visual public access to one or more of the lakes. Public access shall not be construed to include boat docks/ boat ramps.	
18	<b>Policy 1-B-7: Maintain Existing Public Access and Public Uses.</b> The City shall not relinquish its public access rights and public usage of the Northshore Park (north shore of Lake Berry) within Windsong.	
19	<b>Policy 1-B-8: Location of Storm Water Retention Facilities to Avoid Significant Environmentally Sensitive Areas.</b> The creation of required storm water retention facilities shall not be located in areas of significant environmental importance.	
20	<b>Policy 1-B-9: Genius Road Network.</b> The road network created as part of the Genius property platting and development shall utilize some of the roadway stubs leading to the property, unless traffic safety problems are created or new traffic cut through routes would be created.	
21	<b>Policy 1-B-10: Genius Roadway Design to Prevent Cut Through Traffic.</b> Roadway links between the southern and northern sections of the Genius property shall be precluded so as to avoid a cut through traffic route from Glenridge Way to Mizell Avenue or Phelps Avenue.	



No.	Chapter 1 – Future Land Use	Comments
22	<b>Policy 1-B-11: Aloma and Lakemont Intersection Comprehensive Plan Amendments and Development to Preserve Adjacent Residential Uses.</b> In order to promote redevelopment and improve the image at the Aloma and Lakemont gateway intersection, the City shall allow: <ul style="list-style-type: none"><li>Comprehensive plan amendments from Single-Family Residential to Office/Professional of the properties on the south side of Aloma Avenue at 1810 and 1820 Aloma Avenue, but only together as one new one-story office building with masonry wall screening adjacent to residential neighbors, and not as the conversion of the existing homes to offices.</li></ul>	
23	<b>Policy 1-B-12: Lakemont Elementary School Improvements to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements, rebuilding or expansions to the buildings and grounds of Lakemont Elementary School shall conform to Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.	
24	<b>Policy 1-B-13: Preserve Mid-Block Demarcation Separating Lakemont and Harris Avenues and Prohibit Encroachment of Offices into Residential Area.</b> The City shall preserve the mid-block demarcation between Lakemont and Harris Avenues to prohibit office encroachment into the residential area and shall deem land use changes from single family residential to low or medium density residential or a non-residential to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this planning area section.	Makes the policy direction more understandable.
25	<b>Policy 1-B-14: Maintain Residential Zoning in Certain Areas along Edwin Boulevard and Lakemont Avenue.</b> Comprehensive plan amendments from residential to office/professional or commercial shall be deemed to be in conflict with the Comprehensive Plan <u>north of the mid-block line between Edwin Boulevard and Aloma Avenue and north</u> along Lakemont Avenue or on properties fronting on Edwin Boulevard.	Per P&Z recommendation to make the policy clearer.
26	<b>Planning Area C: Winter Park Hospital</b>	
27	<b><u>Policy 1-C-1: Preserve Single-Family Residential Land Use.</u></b> The City shall preserve the single-family residential land use in the Temple/Howell Branch planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	New policy direction to protect single family zoned portions of this planning area similar to policies included in other planning areas.
28	<b>Policy 1-C-2: Encourage High Technology and Medical Arts Professions.</b> The City shall encourage high technology and medical arts professions. This includes increasing the density on the hospital campus and adjoining properties involving <u>a new</u> future land use designation including the creation of a medical/high technology <u>zoning</u> district.	Clarification
29	<b><u>Policy 1-C-3: Medical Arts District.</u></b> The geographic area of properties encompassing the Winter Park Hospital, the Winter Park Health Foundation and associated medical offices shall be deemed an overlay district within the existing office future land use category. In order to encourage further development of these medical arts campuses, such properties are then to be governed as to density by the permitted floor area ratio which shall be a maximum of 100% and shall include the floor area of above grade, attached and unattached garages. This overlay designation shall also differ from others in the Comprehensive Plan and Land Development Code in that floor area ratio may be spread across a hospital/medical center or wellness campus in common ownership (and thus across public streets) provided that the average floor area ratio across the hospital/medical center or wellness campus shall not exceed the maximum of 100%, not including the land area of any public streets.	New policy to implement the general future land use policy outline for the new Medical Arts future land use category.
30	<del><b>Policy 1-4.1.C.3: Promote a New Brookshire Elementary School at Cady Way Park and Creation of Compensating Parkland.</b></del> The City shall explore a partnership with the Orange County Public School Board that may allow the construction of a new Brookshire Elementary school	Brookshire already rebuilt and partnership was explored during the design phase.
31	<b>Policy 1-C-4: Continue Shared Use of Showalter Field/Cady Way Park Area.</b> The City shall continue its partnership with the Orange County Public School Board <u>and Rollins College</u> for the shared use of Showalter Field/Cady Way Park area.	Update
32	<b>Policy 1-C-5: Intergovernmental Coordination to Enhance Cady Way Bike Trail and Related Facilities.</b> The City shall continue working with Orange County, <u>the City of Orlando and Seminole County</u> to enhance the Cady Way Bike Trail and its facilities.	Clarification

No.	Chapter 1 – Future Land Use	Comments
33	<b>Policy 1-C-6: Preserve Residential Demarcation Line West of Lakemont Avenue and Prohibit Office Encroachment Westward into Residential Areas.</b> The City shall preserve the residential demarcation line west of Lakemont Avenue and prohibit further office encroachment into the westward residential areas <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this Comprehensive Plan.</u>	Makes the policy direction more understandable.
34	<b>Policy 1-C-7: Hospital Expansion to Provide Adequate Parking and Mitigate Off-Site Traffic Impacts.</b> Further expansion of the hospital shall provide adequate parking for their employees and visitors in conformance with the City’s Land Use Development Code and shall ensure that off-site traffic impacts are mitigated.	
35	<b>Policy 1-C-8: Prohibited Land Uses within Aloma Avenue Gateway to Winter Park.</b> The City shall prohibit automobile sales and service <u>or repair businesses</u> , The City shall prohibit new or used car sales, auto repair businesses, resale stores or pawn shops, tattoo businesses, <u>vapor lounges and smoke shops</u> , in the commercial areas of the Winter Park Hospital Planning Area, as this portion of Aloma Avenue is a gateway into the City of Winter Park.	
36	<del><b>Policy 1-4.1.C.8: Future Land Use Changes East of Hospital.</b> The City shall consider changes in the future land use to the residential/office area east of the hospital. By 2010, the City shall conduct a neighborhood study for the area east of the Winter Park Hospital to determine changes that are advisable.</del>	This study was already completed by the P&Z Board.
37	<b>Policy 1-C-9: Land Use Consistency East of Hospital.</b> Notwithstanding the future land use text elsewhere in this element, for the office future land use category and for future land use and zoning compatibility; that within the land area to the east of the Winter Park Hospital bounded by Glenwood Drive, St. Andrews Boulevard, Loch Lomond Drive and Strathy Lane, the office future land use category shall also be deemed consistent <u>with single family residential (R-1A) development and low density residential (R-2) development.</u>	Provides the ability for low density townhouse and single family home redevelopment that is otherwise in conflict with the office future land use designation.
38	<b>Policy 1-C-10: Land Use Consistency on Loch Lomond Drive, East of Hospital.</b> Notwithstanding the future land use text elsewhere in this element, for the office future land use category and for future land use and zoning compatibility; that within the land area to the east of the Winter Park Hospital that fronts on Loch Lomond Drive across from Cady Way Park, the office future land use category shall only be deemed consistent <u>with single family residential (R-1A) development and while subdivision variances may be approved to allow smaller lots for future redevelopment, that redevelopment shall only be of single family homes.</u>	Provides the ability for single family home redevelopment that is otherwise in conflict with the office future land use designation.
39	<b>Planning Area D: Waterbridge/Brookshire</b>	
40	<b>Policy 1-D-1: Preserve Existing Single-Family Residential Land Use in Waterbridge/Brookshire Planning Area.</b> The City shall preserve single-family residential land use in the developed areas of the Waterbridge/Brookshire planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
41	<b>Policy 1-D-2: Winter Park High School and Brookshire Elementary School Improvements to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements or expansions to the buildings and grounds of Winter Park High School or Brookshire Elementary School shall conform to Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.	
42	<b>Policy 1-D-3: Preserve Recreational Land Use of Winter Pines Golf Course.</b> The City shall preserve the recreational land use <u>and open space and recreation future land use designation</u> of the Winter Pines Golf Course.	Clarifies the Comp. Plan FLU relationship.

No.	Chapter 1 – Future Land Use	Comments
43	<b>Policy 1-D-4: Winter Pines Golf Club Expansion to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Expansion of the Winter Pines Golf Club services and property <u>may be permitted as long as such expansions and improvements do not negatively impact the surrounding residential areas. Platted and developed in 1971-1977 via the Golfside plats and Greenview at Winter Pines plat, the development of this former marsh and wetland area has been deemed to have been granted the maximum density allowable via the golf course and surrounding residential homes, given the previous status as an environmentally sensitive site. Thus the full development potential of the area has been achieved and any subsequent sale of the golf course since the original platting does not bestow the allowance for any added development rights onto that gold course property other than that permitted by the open space and recreation future land use and parks and recreation zoning designation.</u>	Clarifies the 197-1977 agreements as to the future land use in the area.
44	<del><b>Policy 1-4.1.D.5: Monitor biological and environmental conditions at Lake Baldwin Park.</b> The City shall annually monitor and assess the biological and environmental condition of Lake Baldwin Park adjacent to Lake Baldwin due to the “dog park” element and shall manage its future based on those findings.</del>	Not appropriate as a land use policy.
45	<b>Planning Area E: Glenridge/Lake Sue</b>	
46	<b>Policy 1-E-1: Preserve Existing Single-Family Residential Land Use in Glenridge/Lake Sue Planning Area.</b> The City shall preserve single-family residential land use in the Glenridge/Lake Sue planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
47	<b>Policy 1-E-2: Protect Wetlands.</b> The City shall continue to implement and enforce regulations protecting the wetlands areas in this study area from development.	
48	<b>Policy 1-E-3: Promote Annexation of Stonehurst Drive Enclave.</b> The City shall strive to annex the Stonehurst Drive enclave to form a continuous area of government service and control.	
49	<b>Policy 1-E-4: Intergovernmental Coordination to Achieve Landscape Buffers to Protect Residential Property, Improve Corridor Aesthetics, and Address Overflow Parking Conditions at Blue Jacket Park.</b> The City will work with the City of Orlando and the neighborhoods adjacent to General Rees Boulevard to create an attractive wall and landscape buffer to ensure privacy and safeguard residential property values while improving the aesthetics of the corridor and providing opportunities for on street parking as over flow to the recreation events at Blue Jacket Park.	
50	<b>Policy 1-E-5: Maintain Roadblock on Virginia Drive.</b> The roadblock on Virginia Drive shall be maintained as it prohibits cut-through traffic in the Timberlane Shores neighborhood.	
51	<b>Planning Area F: Mead Garden, Virginia Heights and College Quarter</b>	
52	<b>Policy 1-F-1: Preserve and Protect Residential Land Use along Denning Drive and Prevent Encroachment by Office and Commercial Uses.</b> The City shall preserve and protect the residential land use along Denning Drive in this Planning Area from office and commercial encroachment. In furtherance of this policy, the City shall not rezone the existing residential properties on Denning Drive to office or any other non-residential zoning <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
53	<b>Policy 1-F-2: Preserve Recreational Use of Lake Midget Park and Harper Shepherd Field.</b> The City shall preserve the recreational land use of Lake Midget Park and Harper Shepherd Field.	

No.	Chapter 1 – Future Land Use	Comments
54	<b>Policy 1-F-3: Prohibit Certain Business Types in Mead Garden Planning Area in Order to Preserve the Character of the Orange Avenue and Fairbanks Avenue Gateways to Winter Park.</b> The City shall prohibit certain business types within this Mead Garden Planning Area <u>along Orange Avenue and Fairbanks Avenue</u> including new or used car sales, <u>new</u> auto repair businesses, <u>vapor stores and smoke shops</u> , resale stores or pawn shops, tattoo businesses, adult oriented businesses, fast food businesses and convenience stores, as this portion of Orange Avenue and Fairbanks Avenue are <u>gateways</u> <del>is a gateway</del> into <u>the downtown and central business district of</u> the City of Winter Park.	Clarifications
55	<b>Policy 1-F-4: Support Restoration of Mead Botanical Garden.</b> The City shall encourage the restoration of Mead Botanical Garden.	
56	<b>Policy 1-F-5: Growth and Expansion of the Lutheran Church Consistent with Master Plan.</b> Growth and expansion of the <u>St. John</u> Lutheran Church (located in Planning Area J) shall <u>only be approved via conditional use</u> consistent with protections and landscape buffers for this institutional use <u>and provided that any negative impacts from parking or traffic are avoided and that adequate buffering and screening of such activities and improvements are achieved.</u>	Implements the agreements made with the Church and neighborhood.
57	<b>Policy 1-F-6: Preserve Division of Low-Density Residential and Single-Family Residential between <u>Maryland Holt</u> and <u>Antonette Fairbanks Avenues</u>.</b> The City shall preserve the division line between low-density residential and single-family residential between <u>Maryland Holt</u> and <u>Antonette Fairbanks Avenues</u> , <u>thereby maintaining single family residential land use along Antonette Avenue.</u>	Clarification
58	<b>Policy 1-F-7: Implement Wetlands Protection.</b> The City shall continue to implement and enforce regulations protecting the wetlands from development.	
59	<b>Policy 1-F-8: Winter Park Ninth Grade Center Improvements to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements or expansions to the buildings and grounds of the Winter Park Ninth Grade Center shall conform to Winter Park Comprehensive Plan and land development regulations and standards and shall not negatively impact the surrounding residential areas. The historic high school buildings shall be preserved and incorporated into any campus improvement or expansion.	
60	<b>Policy 1-F-9: Encourage Preservation of Historic High School Buildings For Appropriate Adaptive Reuse with Public-Quasi Public Land Use(s).</b> <u>When and if</u> the Orange County Public School Board decides to sell <del>or redevelop</del> the Winter Park Ninth Grade Center, the City shall protect the historic high school buildings for an appropriate adaptive reuse.	Clarification
61	<b>Policy 1-F-10: Specific Land Uses for Future Redevelopment of Non-Historic Campus Areas.</b> If the Orange County Public School Board decides to sell the Winter Park Ninth Grade Center, the City's appropriate land use for the non-historic campus areas shall be low-density residential for the property fronting Pennsylvania Avenue, single-family residential for property fronting Huntington and Clarendon Avenues, and parks and recreation for a playing field area of at least five (5) acres.	
62	<b>Policy 1-F-11: Redevelopment of Winter Park Ninth Grade Center to Be Consistent with Adopted Master Plan for Entire Property and Compatible with Historic District.</b> The development of the Winter Park Ninth Grade Center land shall be consistent with an adopted master plan for the entire property, and shall be compatible with the historic district.	
63	<b>Policy 1-F-12: Restrictions on Redevelopment of the Commercial "Ahik's" Property at the Northeast Corner of the Pennsylvania/Holt Avenues Intersection.</b> Redevelopment of the commercial "Ahik's" property at 501 Holt Avenue at the northeast corner of the intersection of Pennsylvania and Holt Avenues shall be sensitive to traffic generated onto Holt Avenue. The scale and height of buildings fronting on Holt Avenue shall be limited to 2 stories (30 feet) in height as a compatible transition from the adjacent areas designated Low-Density Residential” on the Future Land Use Map. In addition, the redevelopment of the property shall be compatible with the adjacent historic district.	

No.	Chapter 1 – Future Land Use	Comments
64	<b>Policy 1-F-13: Redevelopment of the Commercial “Ahik’s” Property to Be Concentrated along Railroad and Fairbanks Avenue Frontages while Maintaining Natural Features of the Site.</b> Not withstanding the heights and densities permitted or conditionally permitted under the existing commercial land use designations, the commercial redevelopment of the commercial “Ahik’s” property (as mentioned above) at 501 Holt Avenue, shall be concentrated along the railroad and Fairbanks Avenue frontages while maintaining the natural features of the site, <u>unless an alternative site plan and building layout, not exceeding two stories (30 feet) in height provides a more enhanced visual and sound buffer protections for the adjacent residential properties.</u>	Option for redevelopment while maintaining neighborhood protection.
65	<b>Policy 1-F-14: Restriction on Development Fronting on Holt Avenue.</b> Expansions of commercial or office developments or the parking of vehicles on properties fronting on Holt Avenue shall be prohibited. Access driveways from commercial or office development on Fairbanks Avenue onto Holt Avenue shall be prohibited.	
66	<b>Policy 1-F-15: Restriction on Building Stories to Preserve Neighborhood Character.</b> The area bounded by Minnesota, Pennsylvania, Melrose and Azalea Lane, zoned R-3 is deemed incompatible for three story buildings given the existing predominant character of one and two story buildings. While the density and intensity permitted by the medium density residential future land use designation and R-3 zoning of this area is compatible, future development shall be limited and restricted within this area to no more than two stories. The same restriction shall apply to the R-3 areas that exist between Orlando Avenue and Orange Avenue.	CRAB made a motion to change the Maximum Height Map and add another policy to allow the south side of Fairbanks within this planning area from the Railroad tracks to Denning Drive to be allowed up to 4 stories in height. Specifically to allow for redevelopment of the RV lot.
67	<b>Policy 1-F-16: Protect Wetlands.</b> The City shall continue to implement and enforce regulations protecting the wetlands areas from development.	
68	<b>Policy 1-F-17: Orange Avenue Design Guidelines.</b> The City shall consider design guidelines for the Orange Avenue corridor from Orlando Avenue to Fairbanks Avenue in order to protect and maintain the scale and appearance of this gateway corridor.	New direction for quality redevelopment.
69	<b>Policy 1-F-18: Preserve Existing Single-Family Residential Land Use in the Planning Area.</b> The City shall preserve single-family residential land use in the planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
70	<b>Planning Area G: Downtown/Rollins College</b>	
71	<del><b>Objective 1-4.1.G: Preservation of Winter Park’s “Village Atmosphere,” Quality of Life, and Appropriate Density and Height.</b> To provide residential development within overall densities and heights appropriate to ensure the preservation of Winter Park’s “village atmosphere” and the preservation of our existing quality of life and to encourage a stable customer base in support of our premier retail shopping district.</del>	Removed the Objective as this section only contains policies.
72	<b>Policy 1-G-1: Preserve Residential Use in Downtown/Rollins Planning Area and Mixed Use Shall Not Qualify as Residential Use.</b> The City shall ensure that residential land uses are preserved within the Downtown/Rollins Planning Area. Mixed Use buildings on land currently designated as residential shall not qualify as satisfying this policy. <u>Thus, the intent of this Policy is to maintain the residential future land use and zoning in this planning area where it currently exists and to deny requests for changes to the future land use and zoning that would change from residential designations to non-residential designations.</u>	Makes the policy direction more understandable.
73	<b>Policy 1-G-2: Preserve Central Park Primarily Passive Park Character and Avoid Commercialization of the Park.</b> The City shall implement policies on the use of Central Park that preserve its primary passive park character, avoid commercialization by user groups and are generally guided by the Central Park Master Plan.	

No.	Chapter 1 – Future Land Use	Comments
74	<b>Policy 1-G-3: Preserve Park Avenue as a Retail Shopping District with Complimentary Restaurant Destinations, Maintaining Existing Future Land Use Map Designations and Zoning and Prohibition of Bars/Nightclubs.</b> The City shall preserve the primary focus of the Park Avenue Corridor as a retail shopping district with complimentary restaurant destinations. This shall require maintaining within the Park Avenue corridor the existing Future Land Use Map policies governing height and existing vertical zoning regulations and the prohibition on bars/nightclubs. <del>The City should also explore modifications to the zoning regulations that would limit the growth of future new restaurant locations to prevent an oversaturation of the CBD with restaurant space thereby diminishing via the loss of existing retail stores, the primary focus of the CBD as a retail shopping destination.</del>	New direction to preserve character of the Park Avenue area.  CRAB had a consensus that they did not want to prevent ‘over saturation of restaurants’ if the market drives the abundance of restaurants to Park Avenue. Also that Winter Park is more than just a retail or restaurant district and this policy needed to be changed to reflect the other uses (i.e. corporate offices).
75	<b>Policy 1-G-4: Preservation of the Historic Character of Park Avenue and the Open Vista of Central Park.</b> All properties facing <u>Central Park</u> on Park Avenue or adjacent roads within 140 feet of Park Avenue shall be limited in height to two stories in height (30 feet). All properties that abut Central Park or are located across from the park where development would impact the open vista of Central Park shall also be limited to two stories in height (30 feet) as depicted on the Maximum Height Map. Variances or approvals of development in violation of this policy are prohibited.	Clarification
76	<b>Policy 1-G-5: Preserve Central Business District Pedestrian Scale and Orientation by Restricting Height.</b> The City shall preserve the pedestrian scale and orientation of the Central Business District as a whole by limiting development to no more than three stories (including any mezzanine levels) in all zoning districts within the Central Business District. Variances for more than three stories are prohibited. Exceptions to this policy include any property within the Central Business District that <u>are</u> <del>is</del> limited to two stories by other Comprehensive Plan policies or the Maximum Height Map <u>as those properties have a two story height limit.</u>	Clarification  CRAB had discussions on where to increase the maximum height throughout the CBD to three stories in lieu of the two story height limit in certain areas.
77	<b>Policy 1-G-6: Preserving the Eclectic Architectural Mix and Dominance of Small Distinctive Specialty Shops along the Park Avenue Corridor through Central Business District Design Guidelines.</b> The City shall strive to preserve the character and style of the Park Avenue Corridor as one of an eclectic architectural mix and a predominance of small distinctive specialty stores through the Central Business District design guidelines. The City shall explore alternatives for incentivizing the preservation of small distinctive specialty shops.	
78	<b>Policy 1-G-7: Enforce Land Development Code Parking Requirements.</b> The City shall continue to require parking, as directed by the Land Development Code, for any <u>net</u> new building or <u>net</u> new floor space constructed within the CBD.	Clarification
79	<b>Policy 1-G-8: Managing Existing Off-Street Parking Deficit.</b> The City's effort toward expanded public parking shall prioritize actions and programs needed to address the existing parking deficit as opposed to the provision of parking that would provide for a growth in the size of existing or new buildings or in the size of the Central Business District or provide parking for mass transit needs.	
80	<b>Policy 1-G-10: Design Review of Building and Storefront Facades, Including Signage, within CBD.</b> Design review or architectural review in the City's land development regulations shall include a provision for building and storefront facade review, including signage, in the CBD.	
81	<b>Policy 1-G-11: Improvements at Rollins College and other Educational, Non-Profit or Other Institutional Entities to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements or expansions to the buildings and facilities of Rollins College and other educational, non-profit or other institutional entities shall conform to existing Comprehensive Plan policies, including but not limited to the Future Land Use Map as well as Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.	
82	<b>Policy 1-G-12: Managing Expansion and Physical Improvements at Rollins College and Other Educational, Non-Profit or Other Institutional Entities.</b> The City shall endeavor to accommodate, through conditional use reviews, the physical development building needs and campus expansion requirements through land use changes to an “Institutional” Future Land Use designation and a “Public/Quasi-Public” zoning district classification for Rollins College and other educational, non-profit or other institutional entities as long as those projects are directly related to the educational purposes of serving students and/or staff as long as those projects are compatible with adjacent residential neighborhoods and properties.	



No.	Chapter 1 – Future Land Use	Comments
83	<b>Policy 1-G-13: Joint Public-Private Development on City Land or City Rights-of-Way to Comply with LDC and Replace all Lost Parking Spaces.</b> Any joint public-private development project on City land or City rights-of-way shall replace the same number of on-site public parking spaces as well as providing the additional spaces required by the private segment of the development.	
84	<b>Policy 1-G-14: Preservation of Osceola Lodge (231 North Interlachen Avenue) and Knowles Cottage (232 North Knowles Avenue).</b> Methods for preservation of Osceola Lodge (231 North Interlachen Avenue) and/or the Knowles Cottage (232 North Knowles Avenue) shall be encouraged, including changes to land use designations to permit non-residential usage as foundation office space or other appropriate use when designations as historic landmarks are provided.	
85	<b>Policy 1-G-15: Development Restriction in CBD/Rollins College Planning Area along North Side of Osceola Avenue on Lake Osceola.</b> Future subdivisions or parcel development in the CBD/Rollins College Planning Area along the north side of Osceola Avenue on Lake Osceola shall conform to the Single-Family Future Land Use designation and the R-1AAA zoning district standards, <u>as well as policies within this Comprehensive Plan regarding the subdivision of estate lots.</u>	Clarification
86	<b>Policy 1-G-16: Promote CBD Cultural Institutions.</b> The City shall endeavor to promote the cultural institutions existing within the CBD and seek to expand their contributions to Winter Park as the “City of Culture and Heritage”.	
87	<b>Policy 1-G-17: Maintain Pedestrian Scale Gateway to Park Avenue.</b> To insure compatibility of future developments with the predominate one and two story pedestrian scale of the historic Park Avenue Corridor, buildings greater than two stories shall be prohibited on properties abutting Fairbanks between New York Avenue on the west and Interlachen Avenue on the east. These properties are deemed in-appropriate for three stories due to the potential scale of the developments and their adverse impact on the gateway to historic Park Avenue.	
88	<b><u>Policy 1-G-18: Maintaining the Character of Interlachen Avenue.</u></b> The City shall strongly discourage any change to the future land use and zoning from low density residential to medium or high density residential on the properties on the west side of Interlachen Avenue, now designated as low density residential and future development along Interlachen Avenue shall conform to a minimum 25 foot street front setback along Interlachen Avenue for buildings and structures that is consistent with the existing pattern of development.	Policy to maintain the existing streetscape development pattern along Interlachen Avenue.
89	<b><u>Policy 1-G-19: Maintaining the Single Family Land Use Designations on Lake Osceola.</u></b> Consistent with other policies of this Comprehensive Plan requiring the lowest densities of development on lakefront properties, those lands designated single family on Lake Osceola on Interlachen Avenue, Alexander Place, Chase Avenue, Osceola Avenue and Osceola Court shall not be designed for low density or multi-family residential development or for any non-residential or institutional land use and the City shall deem any such land use changes to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.  <a href="#">Provides development guidance for the streets indicated.</a>	Reference for other adopted policies.
90	<b><u>Policy 1-G-20: Bed &amp; Breakfast/Hotel Conversions.</u></b> On properties designated residential with this planning area, conversions of existing homes or new construction of bed and breakfast inns or other overnight accommodations shall not be permitted within this planning area.	Reference for other adopted policies.
91	<b><u>Policy 1-G-21: Redevelopment of the City’s Water Plant Property on New York Avenue.</u></b> The City’s former water plant property on New York Avenue, designated ‘institutional’ due to the former use and city ownership will be considered for redevelopment as an office or multi-family residential or combination within the limits of permitted floor area ratio for those designations and a maximum three story height.	Policy direction.
92	<b>Planning Area H: Hannibal Square Neighborhood</b>	
93	<b>Policy 1-H-I: Discourage Non-Residential Encroachments into Residential Sections.</b> The City shall discourage non-residential and <u>medium or high-density residential future land use amendments encroachments</u> into <u>single family and low density residential areas of this neighborhood planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.

No.	Chapter 1 – Future Land Use	Comments
94	<b>Policy 1-H-2: If Where Non-Residential Zonings Are Approved, Compensation Required for Lost Housing.</b> In situations where a change to non-residential Comprehensive Plan Amendment is approved, <u>in this planning area</u> , the loss of housing or housing potential must be compensated for through the provision of housing or negotiated fees in lieu of housing, paid to the Affordable <u>and Workforce</u> Housing Trust Fund.	Workforce housing addition.
95	<b>Policy 1-H-3: Restrictions on Multifamily Development.</b> The City shall strongly discourage Comprehensive Plan Amendments from Single Family or Low-Density Residential Land Use categories to Medium-Density or High-Density Residential Land Use categories based on compatibility and recognition of the established neighborhood development pattern.	
96	<b>Policy 1-H-4: Subsidized Multifamily Housing for Senior or Handicapped Citizens.</b> The City shall encourage subsidized multifamily housing for senior or handicapped citizens in projects sponsored by, or which complement those of the Winter Park Housing Authority.	
97	<b>Policy 1-H-5: Prohibited Uses.</b> The City shall prohibit the establishment or expansion of auto sales/service enterprises, auto repair businesses, resale stores or pawn shops, tattoo businesses, adult-oriented businesses, <u>vapor stores or smoke shops</u> , fast food businesses and convenience stores along Fairbanks Avenue <u>in this planning area</u> .	Includes other non-desirable businesses.
98	<b>Policy 1-H-6: Protect the Residential Character of Certain Segments of Lyman Avenue and Carolina Avenue by Prohibiting Non-residential or Mix-Use Development and Related Accessory Uses.</b> The City shall protect the existing residential character of Lyman Avenue between Hannibal Square East and New York Avenue and on Carolina Avenue by prohibiting the use of properties fronting on these streets in whole or in part for non-residential development, or for parking or for storm water retention for adjacent commercial or office development.	
99	<b>Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue and Symonds Avenue.</b> Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.	
100	<b>Policy 1-H-8: Commercial, Office, or Non-residential Development on the East Side of Denning Drive or Webster Avenue.</b> The conversion or redevelopment of any existing residential property fronting on the east side of Denning Drive or on Webster Avenue for commercial, office or other non-residential development shall be deemed to be in conflict with the Comprehensive Plan.	
101	<b>Policy 1-H-9: Non-Profit Service Agencies and Local Neighborhood Churches May Exist Compatibly with Residential Uses.</b> The City may consider the construction or renovation of non-profit service agencies and local neighborhood church construction and renovation in recognition that neighborhood churches co-exist side by side with residential properties and commonly have depended upon on-street parking for those congregations.	
102	<b>Policy 1-H-10: Rezoning Single-Family Property to ≤ 7,500 sq. ft. Lots Deemed Inconsistent with Comprehensive Plan.</b> The rezoning of any single-family property of 50 foot by 150 foot (7,500 sq. ft.) or smaller to low-density (R-2) residential <u>future land use</u> for additional density shall be deemed in conflict with the Comprehensive Plan (single-family to duplex, for example).	Clarification
103	<b>Policy 1-H-11: Density for Workforce/Affordable Housing.</b> Notwithstanding other policies of this Comprehensive Plan, the City may approve density increases for projects of the Hannibal Square Land Trust, Habitat for Humanity, the Winter Park Housing Authority <u>or others</u> when such projects exclusively include workforce/affordable housing.	Clarification
104	<b>Policy 1-H-12: Provide for Additional Residential Density at 444 W. New England Avenue.</b> Notwithstanding the residential density limits established for the Central Business District future land use category elsewhere within this element, this specific policy shall enable the property at 444 W. New England Avenue, to be used at a maximum residential density of up to 48 units per acre. This density allowance may only be applied to residential use within the existing second floor of the existing building as of the date of adoption of this Policy. Residential units are not permitted on the ground floor of the building located at 444 W. New England Avenue.	

No.	Chapter 1 – Future Land Use	Comments
105	<b><u>Policy 1-H-13: Provide for Conforming Density of Mixed Use Projects along New England Avenue.</u></b> To the extent that mixed use projects were permitted and approved by the City under Central Business District future land use and C-2 zoning prior to a unit per acre density restriction being introduced to those designations in 2009, such existing mixed use projects in existence prior to 2009, notwithstanding the current CBD future land use residential unit density limitations, shall be deemed as conforming uses and should such buildings be damaged or destroyed due to any calamity or occurrence such as fire, hurricane, tornado, sinkhole, etc. such buildings may be reconstructed and restored to their existing residential unit density and dimensions.	Provides for the redevelopment of non-conforming uses if damages due to acts of God.
106	<b><u>Policy 1-H-14: Special Circumstances for 446 W. Swoope and on Symonds between Capen and Pennsylvania Avenues.</u></b> Notwithstanding Policy 1-H-1 above, there exists an isolated property at 446 W. Swoope Avenue surrounded by medium density residential future land use that may be considered for a change to that designation and single family properties on Symonds Avenue between Capen and Pennsylvania Avenue in a street section otherwise designated as low density residential that may be permitted a similar future land use.	Exception necessary given the enclave location.
107	<b><u>Policy 1-H-15: Special Circumstances for the North Side of West Lyman Avenue between New York and Hannibal Square, West Capen and Pennsylvania Avenues.</u></b> Notwithstanding Policy 1-H-1 above, there exists low density residential future land use and development along a portion of West Lyman Avenue. Continuance of that scale, type and size of development and changes to low density residential future land use, only, may be permitted on the north side of West Lyman Avenue between New York Avenue and Hannibal Square, East.	Provides policy direction.
108	<b><u>Policy 1-H-16: Encourage the Viability of the Hannibal Square Commercial District along New England Avenue.</u></b> In order to encourage and insure the viability of the Hannibal Square Commercial District, the existing buildings and any other future buildings with street frontage on New England Avenue shall be required to be used for non-residential business purposes on the first floor and utilized as such for retail space, restaurants space, salons or office space and residential use shall be only permitted on the upper floors of any such building, other than an entrance lobby for access to the upper floor units.	Provides for policy direction to link the Park Avenue and Hannibal Square business districts.
109	<b><u>Policy 1-H-17: Hannibal Square Parking Garage:</u></b> In consideration of the variances granted for the Hannibal Square parking garage for added height and additional spaces which were made based upon the Development Agreement and assurances that this parking garage would serve certain designated properties but also serve others not in the same ownership and serve the general business district needs as well, the parking management of this parking garage shall not permit any fee for parking and the City shall through the required parking management plan insure that reserved spaces other than for residents are available on nights and weekends for general public usage.	Policy implements the Development Agreement provisions for the parking garage.
110	<b>Planning Area I: North Park Avenue</b>	
111	<b><u>Policy 1-I-1: Preserve Single-Family Residential Use in North Park Avenue Planning Area.</u></b> The City shall preserve the single-family residential land use in the planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
112	<b><u>Policy 1-I-2: Protect Residential Areas on North Park and Louisiana Avenues from Encroachment by Nonresidential Uses.</u></b> The City shall protect the residential areas around the offices on North Park Avenue and Louisiana Avenues from further office encroachment and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
113	<b><u>Policy 1-I-3: Subdivision of Land to Comply with the Comprehensive Plan and Zoning District Minimum Lot Size Requirement.</u></b> The City shall prohibit subdivision of lots within the North Park Avenue neighborhood planning area to new lots with less than the required 75 foot width (85 foot width - corner lots).	Clarification
114	<b><u>Policy 1-I-4: Develop Gateway Enhancement Plan for North Park Avenue.</u></b> The City shall develop a Gateway enhancement plan for the North Park Avenue entrance into the City.	
115	<b>Planning Area J: U. S. Highway 17-92 Corridor</b>	

No.	Chapter 1 – Future Land Use	Comments
116	<b>Policy 1-J-1: Protect Single-Family Residential Use within Orwin Manor Neighborhood from <u>Multi-Family and Non-Residential Land Use Encroachment</u>.</b> The City shall preserve and protect the single-family residential land use within the Orwin Manor neighborhood from <u>multi-family, commercial and office encroachment and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
117	<b>Policy 1-J-2: Annexation of Areas between City Limits and Minnesota Avenue.</b> The City shall pursue annexation of areas between the City limits and Clay Street and Minnesota Avenue when resident citizen interest is <u>expressed</u> <del>ripe</del> .	Correction
118	<b>Policy 1-J-3: Protect Low-Density Residential Use West of Schultz Avenue within Lawndale, Strongly Discourage Non-Residential Encroachment and Maintain the Low-Density Future Land Use Map Designation.</b> The City shall preserve and protect the low-density residential land use west of Schultz Avenue, within Lawndale, in this planning area, from commercial and office encroachment. The Future Land Use Map shall maintain the Low-Density Residential designation and FLU map amendments to non-residential or Planned Development shall be deemed to be in conflict with the Comprehensive Plan within 200 feet of Shultz Avenue.	
119	<b>Policy 1-J-4: Pursue Improved Appearance of Industrial Area Along Solana Avenue and Railroad Avenue.</b> The City shall promote the appearance of the industrial area located along Solana Avenue and Railroad Avenue through code enforcement and site plan review design standards.	
120	<del><b>Policy 1-4.1.J.4: Preserve Multifamily Residential Use South of the Center of Winter Park.</b> The City shall preserve the multifamily residential land use in the area located south of the Center of Winter Park.</del>	The Whole Foods shopping center and Webster School surrounding these five isolated residential properties makes that area a candidate for non-residential redevelopment.
121	<b>Policy 1-J-5: Protect Interests of Multifamily Residents Located Behind Winter Park Tech.</b> The City shall protect the interests of the residents of the multifamily area located behind Winter Park Tech if development or rezoning appears imminent. In addition, non-residential development occurring adjacent to residentially designated property shall be required to provide adequate buffers including architecturally designed masonry walls capped and appropriately landscaped with canopy tress, specimen trees, and shrubs.	
122	<b>Policy 1-J-6: Concentrate Vehicle Dealerships North of Webster Avenue or Lee Road.</b> The policies of this Comprehensive Plan restrict car sales businesses to two geographic areas where such businesses are permitted. One such area where vehicle sales business are potentially allowed as conditional uses is in this planning area north of Webster Avenue or north of Lee Road.	
123	<b>Policy 1-J-7: Preserve <u>Martin Luther King Jr</u> Park Recreational Land Use.</b> The City shall preserve the recreational land use of <u>Martin Luther King Jr</u> Park.	Update
124	<b>Policy 1-J-8: Subdivision of Lots within Orwin Manor Neighborhood to Comply with Zoning District Minimum Lot Width Requirements.</b> The City shall prohibit subdivision of lots within the Orwin Manor neighborhood to lots with less than the required 75 foot width (85 foot width - corner lots).	
125	<b>Policy 1-J-9: Protect Single-Family Residential Use in the Killarney Neighborhood from Non-Residential Land Use Encroachment.</b> The City shall preserve and protect the single-family residential land use within the Killarney neighborhood from commercial and office encroachment, excluding parcels that have or obtain Parking Lot (PL) zoning designation along the edges where commercial, office and residential meet. All development should include appropriate landscape buffers, including walls if necessary, so as not to have a negative impact on the residential neighborhood.	

No.	Chapter 1 – Future Land Use	Comments
126	<b>Policy 1-J-10: Support a Smooth Land Use Transition along Trovillion Avenue and Gay Road to Low-Intensity Office Uses Compatible with Killarney Bay and Chateaux du Lac Condominiums.</b> The City shall support transition along Trovillion Avenue and Gay Road from Medium-Density Residential to low-intensity office uses as long as they are complimentary to and compatible with the adjacent Killarney Bay and Chateaux du Lac condominiums. The City shall ensure compatible development by enforcing architectural design standards as part of the site plan review process and require adequate buffers including architecturally designed capped masonry walls landscaped with canopy trees, specimen trees, and shrubs.	
127	<del><b>Policy 1-4.1.J.10: Prohibit Redevelopment of the Former Florida Gas Building to Include a Parking Garage.</b></del> The City shall prohibit the redevelopment of the former Florida Gas Building property at 1560 Orange Avenue to include a parking garage. The residential nature of this area is not conducive to a development intensity where parking structures are permitted.	The Policy prohibiting parking garages within 100 feet of residential disqualifies this site as a candidate for parking garage related development.
128	<b>Policy 1-J-11: Encourage a Public-Private Partnership in Redeveloping Winter Park Tech.</b> The City shall encourage a joint public-private proposal for Winter Park Tech. The City shall coordinate joint planning with the Orange County School Board to identify a project that includes a viable land use mix, as well as density and intensity that meets the common objectives of the School Board, the City and the private developer.	
129	<b>Policy 1-J-12: Provide for Additional Residential Density at 940 and 1020 W. Canton Avenue.</b> Notwithstanding the residential density limits established elsewhere within this element, this specific policy shall enable the adjacent properties at 940 and 1020 W. Canton Ave (together, the “Properties”), to be used at a combined maximum residential density of up to 25 units per acre for the following reasons: <ul style="list-style-type: none"><li>• The Properties are part of a mixed-use master plan development;</li><li>• The Properties are under unified control;</li><li>• The Properties are located adjacent to a property approved for a building over 55 feet in height;</li><li>• The Properties serve as an appropriate buffer between adjacent commercial uses and residential uses located further to the east;</li><li>• The Properties are located proximate to multiple employment centers; and</li><li>• The 940 W. Canton Avenue parcel has been previously approved for a four (4) story multi-family residential project under the density and maximum height standards that were applicable to the changes made to the Comprehensive Plan in 2009; due to the Properties being part of a unified mixed-use development under common control, the 1020 W. Canton Avenue parcel was included in calculating the density for this project.</li><li>• This density allowance for both properties may only be applied to residential development within the 940 W. Canton Avenue parcel. All other provisions within the High Density Residential future land use designation shall apply to that property.</li></ul>	
130	<b><u>Policy 1-J-13: Growth and Expansion of the Lutheran Church Consistent with Master Plan.</u></b> (Policy repeat from Planning Area F) <u>Growth and expansion of the St. John Lutheran Church (located in Planning Area J) shall only be approved via conditional use consistent with protections and landscape buffers for this institutional use and provided that any negative impacts from parking or traffic are avoided and that adequate buffering and screening of such activities and improvements are achieved.</u>	Implements policy agreement with the Church and neighborhood.
131	<del><b>Policy 1-4.1.J.13: Consider Proposals to Redevelop the Center Of Winter Park (K-Mart) Parking Fields.</b></del> The City shall consider proposals for redevelopment within the parking fields of the Center of Winter Park if such redevelopment proposals contain significant public benefits, including affordable/ workforce housing, relatively high estimated tax yield, open space, and park amenities.	K-Mart Center redevelopment plans have been approved.
132	<b><u>Policy 1-J-14: Support a Smooth Land Use Transition along the North Side of Fairbanks Avenue with Business Uses Compatible with the Adjacent Neighborhoods.</u></b> The City shall consider future land use changes along the north side of Fairbanks from Shoreview Avenue to Orlando Avenue to commercial to allow business types complimentary to and compatible with the adjacent neighborhoods, such as retail stores and salons provided there are restrictions prohibiting late evening hours, and drive-in components. The City shall ensure compatible development by enforcing architectural design standards as part of the site plan review process and require adequate buffers including architecturally designed capped masonry walls landscaped with canopy trees, specimen trees, and shrubs.	Provides consistency of zoning along W. Fairbanks.
133	<b><u>Policy 1-J-15: Height Map on the West Side of Denning Drive.</u></b> Based on current development patterns, the City will permit four stories along the west side of Denning Drive from Fairbanks Avenue to the northern property line of the OCPS site.	Implements new height map.

No.	Chapter 1 – Future Land Use	Comments
134	<b>Planning Area K: Lee Road</b>	
135	<b>Policy 1-K-1: Preserve Single-Family Residential Use in Lee Road Planning Area.</b> The City shall preserve the single-family residential land use in the existing single-family neighborhoods in this planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan. However, in order to enable the redevelopment along the Lee Road corridor, if properties fronting on Lee Road desire to redevelop or expand via utilizing an interior residential property as expanded parking via a land use change to a Parking Lot (PL) designation then the City may consider such a change provided adequate buffering and protections are provided to the neighboring homes.</u>	Makes the policy direction more understandable.
136	<b>Policy 1-K-2: Plan to Convert the City’s Tree Farm into a Park Site and Encourage its Funding.</b> The City shall plan to convert the City’s Tree Farm into a park site. <del>By 2012,</del> The City shall strive to provide funding to implement the land conversion process, including development of the park site.	
137	<b>Policy 1-K-3: Require New Development to Minimize Adverse Impacts on Lake Bell.</b> The City shall strive to minimize the adverse impacts of development on Lake Bell by regulating the intensity of development, storm water runoff, and enforcing setbacks.	
138	<b>Policy 1-K-4: Prohibit Certain Business Types along the Corridor Frontage.</b> In order to create and preserve the character of this corridor, the City shall prohibit certain business types along the frontage of the corridor including new or used car sales, auto repair businesses, resale stores or pawn shops, tattoo businesses, adult oriented businesses, fast food businesses and convenience stores, <u>except at the intersection of Lee and Wymore Roads.</u>	Clarification
139	<b>Policy 1-K-5: Create a Special Taxing District along Lee Road to Assist Funding Installation of Water and Sewer Services and Streetscape Improvements.</b> The City shall strive to create a special taxing district along Lee Road to aid in the installation of water and sewer services and/or streetscape improvements along this corridor.	
140	<b>Policy 1-K-6: Concentrate Vehicle Dealerships North of Lee Road.</b> The policies of this Comprehensive Plan restrict car sales businesses to two geographic areas where such businesses are permitted. One such area where vehicle sales businesses are potentially allowed as a conditional use in this planning area on Wymore Road, between I-4 and Wymore Road north of Lee Road.	
141	<b>Planning Area L: West Fairbanks Avenue</b>	
142	<b>Policy 1-L-1: Protect the Lake Killarney Residential Neighborhood from Commercial, Office And Parking Lot Encroachments.</b> The City shall preserve and protect the existing Lake Killarney residential neighborhood from commercial, office and parking lot encroachments <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
143	<b>Policy 1-L-2: Annexation, Rezoning, and Redevelopment of Certain Residential Properties in the Lake Killarney Neighborhood.</b> At such time annexation occurs, the City shall consider amending the Future Land Use Map to allow non-residential use and redevelopment of the residential properties abutting commercial or office properties that front on the north side of Fairbanks Avenue in the Lake Killarney neighborhood from Kilshore Lane west to Interstate 4 subject to compliance for special setback and design standards to ensure compatible development and to enhance the appearance of the Fairbanks Gateway corridor.	



No.	Chapter 1 – Future Land Use	Comments
144	<b><u>Policy 1-L-3: Protections for the Lake Killarney Neighborhood.</u></b> The City shall utilize the conditional use process and the land development code regulations to provide protections for the residential neighborhood north of Fairbanks Avenue from any nuisances generated by fast food and drive-in businesses as well as convenience stores in order to minimize any nuisances from noise, over-flow parking, off-site parking of employees or cut-through traffic. Such protections may include limitations on the hours of operation of stores or restaurants and such restrictions on hours of operations may be imposed retro-actively if deemed necessary to safeguard the peaceful residential use of neighboring homes.	Implements consistency in the treatment of Conditional Uses.
145	<b>Policy 1-L-4: Annexation, Rezoning, and Redevelopment of Certain Residential Properties South of Fairbanks Avenue.</b> At such time that annexation occurs, the City shall encourage and permit amending the future land use map and redeveloping the isolated pockets of residential properties located along Kentucky and Ogelsby Avenues, south of Fairbanks Avenue from US Highway 17-92 to Interstate 4 to ensure compatible development and to enhance the appearance of the Fairbanks gateway corridor.	Clarification
146	<b><u>Policy 1-L-5: Annexation, Rezoning, and Redevelopment of Certain Properties, South of Fairbanks Avenue and West of Formosa Avenue.</u></b> At such time that annexation occurs, the City shall encourage and permit amending the future land use map and redeveloping these properties that exist in this area south of Fairbanks Avenue and west of Formosa Avenue along Fairbanks, Kentucky, Ogelsby and Crandon Avenue to urban mixed use densities that would permit either mixed use development or mixed use projects with urban scale of up to eight stories in height, with parking garage components and notwithstanding other limitations within the Future Land Use element, permitted floor area ratios of up to 250% based upon the establishment of commercial or high density residential future land use designations as this density and scale of development is deemed compatible given the location on Fairbanks Avenue adjacent to Interstate 4 and to enhance the appearance of the Fairbanks gateway corridor. Roadway abandonments or vacations necessary for this assemblage are also encouraged.	Implements the Comp. Plan policies
147	<b>Policy 1-L-6: Community Redevelopment Area (CRA) in the West Fairbanks Planning Area.</b> The City shall analyze and evaluate the creation of a Community Redevelopment Area (CRA) for all or portions of this West Fairbanks Planning Area.	
148	<b><u>Policy 1-L-7: Support a Smooth Land Use Transition along the North Side of Fairbanks Avenue with Business Uses Compatible with the Adjacent Neighborhoods.</u></b> The City shall consider future land use changes along the north side of Fairbanks from Lakeview to Shoreview Avenues to commercial to allow business types complimentary to and compatible with the adjacent neighborhoods, such as retail stores and salons provided there are restrictions prohibiting late evening hours, and drive-in components. The City shall ensure compatible development by enforcing architectural design standards as part of the site plan review process and require adequate buffers including architecturally designed capped masonry walls landscaped with canopy trees, specimen trees, and shrubs.	Provides consistency of zoning along W. Fairbanks.
149	<b><u>Policy 1-L-8: Support Efficient Land Use Development Along the South Side of Fairbanks Avenue.</u></b> Given the City’s desire for the aggregation and assemblage of properties along the south side of Fairbanks Avenue for more comprehensive redevelopment along that south side of Fairbanks Avenue, as an important gateway corridor into the City, versus isolated single purpose developments, the City shall only permit via conditional use any drive-in component of business when that business is part of a larger building development program such as via an end-cap use on a larger project.	Provides consistency of zoning along W. Fairbanks.
150	<b><u>Policy 1-L-9: Property Redevelopment West of Interstate Four.</u></b> Given the need for the visibility and convenience of travelers on Interstate highways for quick on-and-off gas station and convenience stores to be proximate to Interstate Four, notwithstanding other limitations in this planning area, the commercial properties on Fairbanks Avenue, west of Interstate Four may be permitted to develop for those purposes.	Provides clarification for those properties west of I-4.
151	<b><u>Policy 1-L-10: Accommodations for the Warehouse and Industrial Land Uses in the Area South of Fairbanks Avenue and north of Minnesota Avenue.</u></b> The City recognizes that previous and future annexations south of Fairbanks Avenue and north of Minnesota Avenue contain existing warehouses and light manufacturing buildings and land uses that were legally developed under the previous Orange County C-3 zoning regulations. As such, while the long term goal of the City is for that area to transition, the City has made and will continue to make accommodations that allows those existing warehouse and light manufacturing businesses to continue to operate and to provide for tenant transitions.	Provides clarification for the existing industrial areas south of W. Fairbanks.

No.	Chapter 1 – Future Land Use	Comments
152	<b><u>Planning Area M: Ravaudage</u></b>	
153	<b><u>Policy 1-M-1: Implement the Ravaudage Planned Development in Accordance with the Annexation Agreement.</u></b> Pursuant to the annexation agreement for the Ravaudage Planned Development, the City shall administer the review and approval of development subject to the provisions of the Orange County Land Development Code and the customs and practices of the Orange County Development Review Committee.	New policy needed to implement to the Ravaudage PD.
154	<b><u>Policy 1-M-2: Provide for Further Assemblages into the Ravaudage Planned Development.</u></b> As additional out-parcels are acquired for assemblage into the Ravaudage Planned Development, the City shall provide for future land use changes to city planned development designations and zoning and shall provide for the added entitlements based upon the net new acreage to be added as contributing to added entitlements based on 14.6 units per acre and a maximum floor area ration of 100%.	New policy needed to implement to the Ravaudage PD.
155	<b><u>Policy 1-M-3: Traffic and Transportation Improvements.</u></b> It shall be the responsibility of the Ravaudage development, in accordance the Planned Development approval granted by Orange County to fund and implement the traffic and transportation improvements required by the project and to fund the traffic studies and traffic light warrants studies required for this project.	New policy needed to implement to the Ravaudage PD.
156	<b><u>Policy 1-M-4: Coordinate with the City of Maitland.</u></b> The City shall coordinate with the City of Maitland on the portions of the Ravaudage development within Maitland to achieve compatibility in the project between jurisdictions.	New policy needed to implement to the Ravaudage PD.

The following chart relates to Chapter 1 – Future Land Use, and outlines all of the Goals, Objectives, and Policies of this Chapter. Space is provided to the right to add any comments/recommendations. Staff comments/changes to this element of the Comprehensive Plan are shown as black underlined text (black underlined text also indicates an existing policy in the 2009 Comp Plan was reorganized in another section) and Planning and Zoning Board comments are shown in red underlined text, Comp Plan Task Force comments are shown in green underline text, Economic Development Advisory Board comments are shown in turquoise underline text, Community Redevelopment Advisory Board comments are shown in brown underlined text, and Transportation Advisory Board comments are shown in purple underline text.

No.	Chapter 1 – Future Land Use	Comments																				
1	<del><b>GOAL 1-1: MAINTAIN INDIVIDUAL IDENTITY, CHARACTER, NATURAL ENVIRONMENT, AND SOCIO-ECONOMIC AND ETHNIC DIVERSITY.</b> Winter Park will ensure that the character and location of land uses incorporate the following: (a) resource conservation; (b) smooth and orderly land use transition; (c) aesthetics; (d) avoidance of incompatible land uses threatening health, safety and welfare; and (e) avoidance of environmental degradation, hazards and nuisances. Although Winter Park lies within a rapidly urbanizing metropolitan area, the City will maintain its individual identity and character by allowing new growth and redevelopment which (i) enhances the City’s attractive environment; (ii) preserves the City’s economic, socio-economic and ethnic diversity; (iii) strengthens the City’s excellence, character and reputation by promoting quality infill development conducive to the most efficient provision of services; and (iv) protects the City’s natural resources and environmental assets.</del>																					
2	<del><b>GOAL 1-1: MAINTAIN THE CITY’S CHARACTER.</b> Ensure the City of Winter Park maintains its traditional scale and <u>low-density residential</u> character while at the same time providing for the most effective provision of services; to promote sustainable community development now and for future generations; to promote <u>conscientious—a sustainable community and</u> economic development in appropriate locations, to promote quality infill and redevelopment which strengthens the character of the City, to protect sensitive natural areas by directing growth to environmentally appropriate areas, and prohibit those uses which are incompatible.</del>	Per P&Z recommendation – want to acknowledge the commercial development more and remove the low-density residential language since WP is more than just homes																				
3	<del><b>OBJECTIVE 1--1.1.:: PRINCIPLES FOR MANAGING GROWTH WITHIN PLANNING HORIZONS.</b> The City shall establish a ten year planning horizon with projected population to provide data for the evaluation and analysis of this Comprehensive Plan and its elements.</del>																					
4	<del><b>Policy 1-1.1.</b>The following planning horizons are based on</del> <b>1: The following table establishes population projections through the 10 year planning horizon for use in the Future Land Use Element and Housing Element Data, Inventory and Analysis sections of all Elements of this Comprehensive Plan:</b> <table><tr><th colspan="5">Table 1 <b>PLANNING HORIZONS: POPULATION PROJECTIONS</b></th></tr><tr><th colspan="2">Short-Term Horizon</th><th colspan="3">Long-Term Horizon</th></tr><tr><th>Year 2008</th><th>Year 2013</th><th>Year 2018</th><th>Year 2023</th><th>Year 2028</th></tr><tr><td>28,486</td><td>30,000</td><td>31,500</td><td>33,000</td><td>34,500</td></tr></table>	Table 1 <b>PLANNING HORIZONS: POPULATION PROJECTIONS</b>					Short-Term Horizon		Long-Term Horizon			Year 2008	Year 2013	Year 2018	Year 2023	Year 2028	28,486	30,000	31,500	33,000	34,500	
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5	<table><tr><th colspan="6">Table 1-1: Future Population Estimates</th></tr><tr><th>Year</th><th>2000</th><th>2010</th><th>2016</th><th>2020</th><th>2026</th></tr><tr><td>Total Permanent Population</td><td>24,090</td><td>28,434</td><td>29,308</td><td>30,508</td><td>32,308</td></tr></table>	Table 1-1: Future Population Estimates						Year	2000	2010	2016	2020	2026	Total Permanent Population	24,090	28,434	29,308	30,508	32,308			
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Total Permanent Population	24,090	28,434	29,308	30,508	32,308																	
6	<p>The above stated population growth and supportive nonresidential growth shall incorporate the following planning principles:</p> <p><del><b>OBJECTIVE 1.</b>——— Relate future growth and future land uses appropriately with topography, soil conditions and the availability of facilities and services;</del></p> <p><del><b>1.2.——: DEVELOPMENT SCALE.</b> Encourage the redevelopment and renewal of blighted areas;</del></p> <p><del>3.Encourage the elimination or reduction of uses inconsistent with the City's character and future land uses;</del></p> <p><del>4.Ensure the protection of natural resources, the natural environment and designated historically significant resources, structures and properties;</del></p> <p><del>5.Discourage the proliferation of urban sprawl;</del></p> <p><del>6.Ensure the availability of suitable land for utilities necessary to support proposedhuman scale <u>human-scale</u> development; that fosters pedestrian connectivity, appropriate design and landscaping with building mass and scale.</del></p>	P&Z Board recommended removing human scale																				
7	<del><b>Policy 1--1.12.1: Implement the above Planning Principles for Accommodating Growth.</b> The City shall incorporate or maintain the aforementioned six objectives within the City's zoning, subdivision and other applicable land development codes within one year after adoption of the Comprehensive Plan.</del>																					

No.	Chapter 1 – Future Land Use	Comments
8	<del><b>Policy 1-1.1.2: Maintain ‘Village’ Traditional Scale and Character.</b></del> The City shall <del>strive to</del> maintain the overall low density ‘village-character’ of Winter Park consistent with the City’s 2016 Visioning process through the Future Land Use Map. <del>When exercising the authority of the ‘conditional approval’ process, and the variance process, the ‘village character’ shall be preserved.</del> Towards this end, the City shall exercise <del>strict</del> application of the policies of this Comprehensive Plan and the implementing Land Use Codes for site development <del>and shall authorize variances only when such exceptions are compatible with adjacent properties and are required by unusual circumstances, including but not limited to tree specimens or clusters, historically significant structures, or unusual lot characteristics.</del> The desire is to achieve a beautiful, pleasant, principally village scale pedestrian orientated community by fostering and encouraging good design, pedestrian connectivity, landscaping and buffering, harmonious building colors, materials and signage, outdoor lighting photometries, and good proportional relationships in design of building mass and scale. The desired design shall allow for individual styles and variety compatible with the historically accepted character of Winter Park. Design criteria shall also address screening unsightly structures and appurtenances, maintaining varied rooflines and fenestration (i.e. character and interrelationships of façade design components including windows, dormers, entryways, and roof design), and facade and entryway landscaping. The City shall reserve the authority to require applicants for large scale development or redevelopment to submit engineered three-dimensional model, virtual computer images, or other satisfactory evidence that provides a realistic measure of building mass, scale, access to sunlight (i.e. shadow analysis), and relationships to surroundings.	Per P&Z recommendation to remove ‘strive’ and ‘strict’
9	<del><b>Policy 1-1.1.3: Require Public Notice Prior to Creation or Expansion of CRA or CDD.</b></del> Prior to the creation or expansion of any Community Redevelopment Area (CRA) or Community Development District (CDD), there shall be a public notice requirement to all households in the City to inform residents of the proposal, the need for such action and the plans or actions contemplated as a result. <i>Policy amended to reflect changes as adopted on April 22, 2013 per Ordinance 2909-13.</i>	
10	<del><b>Policy 1-1.2.2: City Comprehensive Plan</b></del> <b>Policy 1-1.1.4: Goals, Objectives and Policies are First Priority in Case of Conflicts.</b> The order of hierarchy or priority in the case of conflicts shall be the Comprehensive Plan Goals, Objectives and Policies first, <del>Land Development Code regulations second, and Community Redevelopment Plans, Design Guidelines, and Architectural Standards third.</del> <i>Policy amended to reflect changes as adopted on April 22, 2013 per Ordinance 2909-13.</i>	
11	<del><b>GOAL 1-2: FUTURE LAND USE MAP.</b></del> The City of Winter Park Comprehensive Plan Future Land Use Map (FLUM) series shall delineate adopted <del>policy</del> policies for managing of future land use, growth and development. <del>Land use designations on the FLUM have been allocated pursuant to Goals, Objectives, and Policies established in the Comprehensive Plan and are based on the Comprehensive Plan Data, Inventory, and Analysis.</del> Nothing in this section shall preclude necessary community facilities from locating within any future land use designation when such activity satisfies established criteria of this plan and the City's Land Development Code.	Per CPTF recommendation – Goal is too long.
12	<del><b>OBJECTIVE 1-2.12: FUTURE LAND USE MAP DENSITIES AND INTENSITIES DEFINED.</b></del> The designations in the Future Land Use Map (FLUM) series shall be defined by the policies herein. The FLUM series, Maps <del>FLUM-1-101 through FLUM-1-5b06</del> , shall <del>allocate future land uses and</del> include the following:  Future Land Use Map Series: • <del>1) Map FLUM-1-101, Existing Land Use Map –</del> • <del>2) Map FLUM-1-202, Future Land Use Map*</del> • <del>3) Map FLUM-1-303, Maximum Height Map</del> • <del>4) Map FLUM-1-4, City04, Jurisdictional Boundaries Map</del> • <del>5) Map FLUM-1-5a,05, Surveyed Historic Resources</del> <del>Properties</del> Map • <del>6) Map FLUM-1-5b06, National Register of Historic Listed Properties</del> Map  *The Future Land Use Map Designation Density/ Intensity Table” denotes the maximum range of density and maximum floor area ratios (intensity), within each of the non-residential FLUM designations and shall be used in conjunction with the Future Land Use Map, Maximum Height Map and Map Series to determine the permitted density and intensity of development. <del>The Future Land Use Map Series can be found at the end of this Future Land Use Element in this Comprehensive Plan and continues at the end of each related element following the final policy of that element.</del>	
13	<del><b>Policy 1-2.12.1: Function of Future Land Use Map and the Consistency Mandate.</b></del> The Future Land Use Map and Map Series shall implement the Comprehensive Plan as a whole through the designation and categorization of land. All development, redevelopment and land use shall be consistent with those designations and limited to the standards for densities and intensities of use as outlined in the text for the Future Land Use Map Series and in accompanying table(s).	
14	<del><b>Policy 1-2.12.2: Location of Essential Public Utilities.</b></del> Public utilities which provide essential service to existing and future land uses authorized by this Plan shall be permitted in all of the land use categories.	
15	<del><b>Policy 1-2.12.3: Residential Density Defined.</b></del> Maximum residential density shall be determined by multiplying the Maximum Allowable Dwelling Units (DUs per acre) by the residential acres. All residential densities denoted for the FLUM establish the maximum residential densities permitted for residential development. Fractional portions shall not be counted.	CPTF – residential acres doesn’t need to be capitalized

No.	Chapter 1 – Future Land Use	Comments
16	<del><b>Policy 1-2.1.4: Floor Area Ratio Defined.</b> Floor Area Ratio (FAR) shall be defined as the sum of the gross horizontal areas of the several floors of a building or buildings measured from the exterior surface of the walls divided by the land area of the site. The site land area must be entirely one contiguous land mass and shall not include land isolated or separated from the main site by a street or water body. The gross floor area ratio in square feet of the building or buildings on the property (and contiguous properties being used in connection with such building(s) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted.</del> <b>Policy 1-2.2.4: Application of Floor Area Ratio:</b> Basement areas or other below grade floor areas are excluded from the floor area when more than one-half of that basement or floor height is below the established curb level. The area of stairways, elevators, and multi-story rooms or atriums shall be counted on each floor level. The floor area of private parking garages (above grade) or parking levels shall be counted toward the floor area ratio when such parking is provided to meet the parking requirements of the Land Development Code except for the top open parking level if it is open and uncovered. -The public parking component of any parking garage may be excluded from the floor area ratio calculation by the City Commission.	<p>P&amp;Z suggested having community meetings and workshops to continue this discussion on counting parking garages in FAR calculation. Buildings over 10,000 square feet require Conditional Use approvals (which is the building size that would typically warrant a parking garage) so if we are trying to place restrictions on parking garages – striking them from counting towards FAR doesn’t mean we do not have a say in how they are developed.</p> <p>EDAB recommends to strike the parking level FAR – if we strike this from counting towards the FAR it doesn’t mean parking garages will pop up everywhere, surface lots are much more affordable and the development is still limited to 45% FAR.</p> <p>CPTF recommends this topic to be studied further and show examples how this could be taken out and done successfully. They felt this was a priority to review this policy.</p>
17	<del><b>Policy 1-2.12.5: Maximum Building Height Defined.</b> “Map FLUM-1-303: Comprehensive Plan Maximum Building Heights” designates graphically the maximum threshold for such building heights by stories. The Maximum Height Map is intended to be used together with the Future Land Use Map and applicable land use designations to determine the maximum density and intensity permitted to be developed within the City of Winter Park. The combination is detailed in the Maximum Future Land Use Map Designation Density/ Intensity Table. The height thresholds do not include ancillary structures regulated by the land development code, including respective floor to floor heights, parapets, mechanical and elevator/ stair components, and architectural appendages. The Maximum Height Map is intended to be used together with the Future Land Use Map and designations to determine the maximum density and intensity (floor area ratio) permitted to be developed within the City of Winter Park.</del>	
18	<del><b>Policy 1-2.12.6: Floor Area Ratio Limitations.</b> The floor area ratios detailed in this Comprehensive Plan are the maximum density and intensity parameters potentially permitted in each respective future land use designation. These maximum floor area ratios are not an entitlement and are not achievable in all situations. Many factors may limit the achievable floor area ratio including limitations imposed by the Maximum Height Map, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, lot coverage and design standards. The City in the review and approval of conditional uses for specific projects may limit and restrict the achievable floor area ratios. <i>Policy amended to reflect changes as adopted on October 11, per Ordinance 2825-10.</i></del>	CPTF recommends to strike if this is discussed in the LDR
19	<del><b>Policy 1-2.12.7: Restrictions on Density and Intensity of Development.</b> The maximum range of density and/or intensity (FAR) stated in the Comprehensive Plan and in the Land Development Code may be further constrained by quantitative and qualitative criteria included in the Comprehensive Plan and Land Development Code, including but not limited to requirements for minimum open space; concurrency management and level of service standards for transportation, building height, parkland, storm water and other public facilities and services; off street parking and internal circulation; landscaping; impacts on schools; and on site and off site improvements and design amenities required to achieve land use compatibility. In addition, natural constraints such as the shape and natural features of a site may present obstacles to achieving maximum density and/or intensity delineated on the adopted Comprehensive Plan Future Land Use Map Series.</del>	



No.	Chapter 1 – Future Land Use	Comments																												
20	<p><b>Policy 1-2.12.8: ProvisionsAdditional Density Provision for Affordable/ and/or Workforce Housing.</b> The development of affordable/ workforce housing is a-Recognizing the priority of the State Comprehensive Plan and the City’s Comprehensive Plan. As such, in some cases incentives are necessary to insure the provision of affordable/ workforce housing especially within Winter Park with extremely high land costs, along with typical construction costs. provide a diverse mix of housing stock. The City Commission on a case by case basis may permitauthorize the maximum densities within the Residential future land use categories to be exceeded by up to five units per acre as an incentive when such allowances are used exclusively for the construction of affordable/ and/ or workforce housing.</p> <table><tr><th colspan="2">Table 2 Future Land Use – Zoning Compatibility Chart</th></tr><tr><th>Future Land Use Designation</th><th>Compatible Zoning Districts</th></tr><tr><td>Single Family Residential</td><td>R-1AAA, R-1AA, R-1A, PURD</td></tr><tr><td>Low Density Residential</td><td>R-2, PURD</td></tr><tr><td>Medium Density Residential</td><td>R-3</td></tr><tr><td>High Density Residential</td><td>R-4</td></tr><tr><td>Commercial</td><td>C-3, C-3A, C-1, O-1, O-2</td></tr><tr><td>Office and Professional</td><td>O-1, O-2</td></tr><tr><td>Central Business District</td><td>C-2</td></tr><tr><td>Industrial</td><td>I-1, C-3, O-1, O-2</td></tr><tr><td>Institutional</td><td>PQP</td></tr><tr><td>Open Space and Recreation</td><td>PR</td></tr><tr><td>Medium Density Planned Development</td><td>PD-1</td></tr><tr><td>High Density Planned Development</td><td>PD-2</td></tr></table>	Table 2 Future Land Use – Zoning Compatibility Chart		Future Land Use Designation	Compatible Zoning Districts	Single Family Residential	R-1AAA, R-1AA, R-1A, PURD	Low Density Residential	R-2, PURD	Medium Density Residential	R-3	High Density Residential	R-4	Commercial	C-3, C-3A, C-1, O-1, O-2	Office and Professional	O-1, O-2	Central Business District	C-2	Industrial	I-1, C-3, O-1, O-2	Institutional	PQP	Open Space and Recreation	PR	Medium Density Planned Development	PD-1	High Density Planned Development	PD-2	CPTF – do we need a Parking Lot category?
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21	<p><b>OBJECTIVE 1-2.23: RESIDENTIAL FUTURE LAND USE DESIGNATIONS.</b> The residentialResidential Future Land Use Map designations shall be established as defined herein. Compatible supportive community facilities and accessory land uses which are designated as conditional use may be located within areas designated for any type of residential land uses. The Land Development Code shall provide regulations for managing such community facilities and accessory land uses. This objective shall be measured through implementation of the following policies:</p>	CPTF – is this necessary in here? FAR designations go in LDR.																												
22	<p><b>Policy 1-2.23.1: Single-Family Residential.</b> This Future Land Use Map designation is designed to indicate areas to be developed for single-family residential uses and the compatible zoning districts for such future land use designation are the R-1AAA, R-1AA, R-1A and PURD zoning districts. The residential uses intended for these areas include single-family detached housing, accessory units and attached townhouse units. The overall density range shall be up to five (5) dwelling units (DUs) per acre except in the approved PURD areas where the density of single-family, zero lot line or townhouse development maybe increased to eight (8) DUs to the acre but is mediated by the provision of readily useable open space areas. The maximum floor area ratio shall be set at 0.38 (38%) with the potential bonus of 5% to reach a maximum of 0.43 (43%) upon satisfaction of meeting design incentives and shall include the floor area of above grade, attached and unattached garages.</p>																													



No.	Chapter 1 – Future Land Use	Comments
23	<b>Policy 1-2.23.2: Low-Density Residential.</b> This <u>Future Land Use Map</u> land use designation is designed to indicate areas to be zoned for and used for low density residential use. The compatible zoning <del>district</del> districts for this designation shall be <del>the</del> R1-A, <u>PURD and R-2 zoning district</u> districts. The residential uses intended for these areas include single family homes, duplexes, and cluster housing that do not exceed <del>one unit per 4,000 square feet of land which is approximately ten units per acre.</del> The floor area ratio shall not exceed 0.55 (55%) and shall include the floor area of above grade, attached and unattached garages.	
24	<b>Policy 1-2.23.3: Medium-Density Residential.</b> This <u>Future Land Use Map</u> land use designation is designed to indicate areas to be zoned for <del>the</del> -multi-family residential uses. The compatible zoning <del>district</del> districts for this designation shall be <del>the</del> R-2 <u>or R-3 zoning district</u> districts. Included are townhouses, condominiums, and apartments. The maximum density is up to <del>seventeen (17)-units per acre on such properties.</del> The floor area ratio shall not exceed <del>(110%)</del> % and as may be governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element and shall include the floor area of above grade, attached and unattached garages.	
25	<b>Policy 1-2.23.4: High-Density Residential.</b> This <u>Future Land Use Map</u> land use designation is designed to indicate areas to be zoned for <del>the</del> -multi-family residential use. The compatible zoning <del>district</del> districts for this designation shall be <del>the</del> R-3 <u>or R-4 zoning district</u> districts. Included in this classification are townhouses, condominiums, and apartments. The maximum density is twenty-five (25) units per acre. The floor area ratio shall not exceed <del>2.0 (200%)</del> % and as may be governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element and shall include the floor area of above grade, attached and unattached garages.	
26	<b>OBJECTIVE 1-2.34: NON-RESIDENTIAL FUTURE LAND USE DESIGNATIONS.</b> <del>The non-residential Future Land Use Map designations shall be established as defined herein. Supportive facilities and accessory land uses which are designated as conditional uses may be located within areas designated for any type of commercial or residential land use. The allocation of land for non-residential uses shall be compatible with the goals, objectives, and policies identified in this Comprehensive Plan and shall be consistent with established patterns of legally established commercial land uses. The policies stated hereinafter provide an explanation of the purpose, intent, and character of the non-residential future land use designations., industrial, and institutional land uses. Nothing, however, shall prevent the use of land within non-residential designations from being utilized in part for residential uses subject to the density and intensity limitation of the</del> Table 3 - Maximum Future Land Use Density/ Intensity Table.	CPTF – is this necessary in here? FAR designations go in LDR.
27	<b>Policy 1-2.34.1: Commercial.</b> This <u>Future Land Use Map</u> land use designation includes both the wide variety of commercial retail uses, restaurants, and various professional office uses. It is designed to relate to those areas zoned C-1, C-3 and C-3A, but may also include areas zoned I-1 when used for commercial or office or residential purposes- <u>and PQP where appropriate.</u> This designation also allows a density of residential uses as a conditional use up to 17 units per acre. Residential units however, shall only be permitted above the first or ground floor level. The intensity of use (floor area ratio) of buildings in this designation may not exceed the standards as listed in the Maximum Future Land Use Density/ Intensity Table and as governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element.	
28	<b>Policy 1-2.34.2: Office and Professional.</b> This land use designation includes the business and professional activities housed in office structures such as those allowed in the O-1 and O-2 districts- <u>and the PQP district where appropriate.</u> This designation also allows a density of residential uses as a conditional use up to 17 units per acre. Residential units however, shall only be permitted above the first or ground floor level. The intensity of use of buildings (floor area ratio) in this designation may not exceed the standards as listed in the Maximum Future Land Use Density/ Intensity Table and as governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element. <u>However, within the Winter Park Hospital planning area there are exceptions providing for single family and low density residential development.</u>	
29	<b>Policy 1-2.34.3: Central Business District (CBD).</b> This land use designation includes the retail business, restaurant, professional office and residential uses up to a density of 17 units per acre that are permitted within the historic downtown core of Winter Park. Properties with this land use classification are zoned C-2. This designation differs from the other commercial, office or planned development designations in terms of the land use policies for this area which strive to maintain and enhance pedestrian orientation, preserve the scale of the historic premiere retail areas, enhance the eclectic mix of architectural styles, preserve and maintain the mix of retail, office and residential uses, preserve the open space vistas and non-commercialization of historic Central Park and the predominance of small distinctive specialty shops. <del>The floor area ratio shall not exceed the percentages listed in the Maximum Future Land Use Density/Intensity Table and as governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element and the</del> The maximum mix of residential unit areas within any building shall be included on upper floors and shall not exceed fifty (50%) percent of the total building area, with the residences confined to the upper floors. <i>Policy amended to reflect changes as adopted on October 11, 2010 per Ordinance 2825-10.</i>	
30	<b><u>Policy 1-2.4.4: Expansion of the CBD: Within six months after the adoption of the Comprehensive Plan, the City will evaluate the CBD area for possible expansion of the CBD boundaries to include Orange Avenue and consider additional density permitted within the Future Land Use designation.</u></b>	
31	<b>Policy 1-2.3.4.4: Maintain the Character and Scale of the Central Business District:</b> The City shall maintain the character and scale of the Central Business District (CBD), including the Park Avenue Corridor and the Hannibal Square Neighborhood Commercial District by requiring that developments in these areas consider pedestrian scale the orientation of the buildings to the streets, eclectic mix and use of architectural styles and vistas to Central Park and other open spaces.	
32	<b>Policy 1-2.4.5: Height Restrictions in CBD:</b> Properties within the Central Business District shall be limited to two stories. Height restrictions may be increased to a maximum 3 stories if the development is approved by the City Commission and conforms to the Maximum Height Map. Properties designated low density residential and properties limited to two stories on the Maximum Height Map are not candidates for the 3 story height.	
33	<b>Policy 1-2.4.6: Preserve the Pedestrian Scale and Orientation of the CBD.</b> The pedestrian orientation shall be protected by prohibiting new drive-in businesses within the C-2 zoning locations east of Virginia Avenue.	Both CPTF and EDAB recommend to strike.

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34	<b><u>Policy 1-2.4.7: Restriction on the Use of CBD Future Land Use and (C-2) Zoning.</u></b> <del>CBD future land use and C-2 zoning may also only be permitted on properties abutting Morse Blvd between Capen and Virginia Avenues, abutting New England Avenue between Pennsylvania and New York Avenues, abutting Pennsylvania Avenue between Garfield and Lyman Avenues, or abutting Hannibal Square, East, as depicted on the Central Business District Future Land Use Designated Area map within the definitions section. Central Business District future land use designations or C-2 zoning shall not be permitted by the City for any property outside these designated areas. Properties within the designated areas are candidates for CBD Future Land Use C-2 which may or may not be granted by the City Commission on a case by case basis.</del>	Per update of new map within the definitions section – clearer than words.
35	<b><u>Policy 1-2.4.8: Preservation of the Historic Character of Park Avenue and the Open Vista of Central Park:</u></b> All properties facing on Park Avenue or adjacent roads within 140 feet of Park Avenue shall be limited in height to two stories in height. All properties that abut Central Park or are located across from the park where development would impact the open vista of Central Park shall also be limited to two stories in height as depicted on the Maximum Height Map. Variances or approvals of development in violation of this policy are prohibited.	Both CPTF and EDAB recommend to strike because a redundant policy, if it is also in the LDR, it should be removed, or left if it is not in the LDR.
36	<b><u>Policy 1-2.4.9: Hannibal Square Neighborhood Commercial District</u></b> Commercial, office and residential development policies shall permit buildings footprints that have minimal setbacks from the street in order to foster a pedestrian friendly environment and design standards shall require streetscape amenities and foster architectural features that promote a human scale. The District boundaries limited to: f  1)Properties abutting Morse Boulevard between Capen Avenue and Virginia Avenue; 2)Properties abutting New England Avenue between Pennsylvania and New York Avenues; 3)Properties abutting Pennsylvania Avenue between Lyman and Garfield Avenues, <del>including those existing commercial properties just north of -</del> Garfield Avenue; and 4)Properties abutting Hannibal Square East.	
37	<b><u>Policy 1-2.4.10: Height Restrictions in the Hannibal Square Neighborhood Commercial District:</u></b> Two story maximum building heights shall be the maximum permitted, except the City may permit third stories when limited to residential use and deed restricted for residential usage only. Building heights on the north end of Pennsylvania Avenue shall be two stories maximum when transitioning to residential. Shared parking shall be enforced whenever parking management plan approvals are granted.	
38	<del><b><u>Policy 1-2.: Medium Density Planned</u></b></del> <b><u>4.11: New England Avenue Transitional Development Standards.</u></b> Notwithstanding the limitations otherwise imposed upon properties designated with Commercial future land use, for any lots fronting on New England Avenue from Virginia to New York Avenues, development may be permitted enhanced density and intensity up to a maximum 100% floor area ratio (FAR).	CPTF had split opinions on removing or leaving this policy. It is spot zoning along New England Avenue
39	<b><u>Policy 1-2.4.12: Evaluation of Hannibal Square Neighborhood Commercial District:</u></b> Within six months after adoption of the Comprehensive Plan, the city will evaluate the boundaries, densities and permitted future land use categories within the Hannibal Square Neighborhood Commercial District.	
40	<del><b><u>Policy 1-2.(PD 1).4.12: Medical Arts District.</u></b></del> This Future Land Use Map land use designation includes <del>retail businesses, restaurants, offices and the land area of the Winter Park Hospital and the adjacent vicinity as depicted on the Future Land Use Map where medical, wellness and associated businesses exist and are encouraged to further develop. This future land use designation is currently limited to the geographic boundaries of Lakemont Avenue, Aloma Avenue, St Andrews Boulevard, Loch Lomond/Perth Lane and Dundee Drive as shown on Figure FLUM-1-14a. Any expansion of the district would require a Comprehensive Plan Amendment. With the exception of existing development patterns which have not redeveloped, this designation does not allow residential uses within building projects permitting higher density mixed and single use. This land use designation is restricted to geographic areas of the City identified in the Future Land Use Map Series — Map 1-6a, and 1-6b. The maximum floor area ratio other than those within related nursing homes, rehabilitation beds, independent living, assisted living and memory care facilities or as dedicated workforce housing for medical service employees which are then governed as to density by the permitted floor area ratio. The maximum floor area ratio shall be 100% and shall include the floor area of above grade, attached and unattached garages. This designation differs from others in the Comprehensive Plan in that floor area ratio may be spread across a Hospital/medical center or wellness campus in common ownership (and thus across public streets) provided that the average floor area ratio across the hospital/medical center or wellness campus shall not exceed the percentages listed in the Maximum Future Land Use Density/ Intensity Table and as governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element</del> maximum of 100% not counting the land area of public streets.	Per TAB recommendation to include the independent living category to the list.
41	<del><b><u>Policy 1-2.3.5: High Density Planned Development (PD 2).</u></b></del> This land use designation includes retail businesses, restaurants, offices and residential uses within building projects permitting higher density mixed and single use in designated areas. This land use designation is restricted to geographic areas of the City identified in the Future Land Use Map Series — Map 1-6c, and 1-6d. The maximum floor area ratio shall not exceed the percentages listed in the Maximum Future Land Use Density/ Intensity Table and as governed by the maximum number of stories permitted in the Maximum Height Map within this Future Land Use Element.	TAB agreed that the Planned Development Language should be removed and the new Mixed Use language should hash out the technical concerns of this type of zoning district/future land use category through a public process.
42	<del><b><u>Policy 1-2.3.6: Limitation on the Use of Planned Development Future Land Use.</u></b></del> This element includes maps within the Map Series (1-6a-1-6d) which indicate the only geographic areas within the City where properties may be granted Medium Density Planned Development and High Density Planned Development Future Land Use designations and corresponding zoning. Such action shall require an extraordinary vote (four votes) for approval by the City Commission. This element prohibits the use of the Planned Development designations, in areas of the City not identified on the Planned Development Candidate map series (1-6a — 1-6d).	

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43	<del><b>Policy 1-2.3.7: Creation of a Planned Development Zoning District.</b> Within one year after adoption of this Comprehensive Plan, the City Commission shall adopt a new Planned Development Zoning District. Prior to adoption, the Planning and Zoning commission shall provide their recommendation for a Planned Development Zoning District which shall be accompanied by draft regulations to enable the recommendation. The regulations shall be proposed which address retail, office, and residential uses, appropriate open space in the district; appropriate height, scale, mass, setbacks, and density restrictions, long term maintenance of such facilities, parking, residential protection from noise, and consideration of inclusionary affordable/workforce housing. Planned Development zoning shall be limited to a maximum project size of three acres such that no monolithic out of scale projects may be developed. There shall be at least seventy five feet of separation between any two principal buildings on sites larger than three acres so as to insure separation between such building projects. This element prohibits the use of the High Density Planned Development (PD 2) future land use designation, east of and including along the Orlando Avenue corridor.</del>																																																	
44	<del><b>Policy 1-2.3.8 Parking Lots.</b></del> <b>Policy 1-2.4.13: Parking Lots.</b> This Future Land Use Map This land use designation includes those lands designated for use as surface parking only to be used by adjacent commercial, office, institutional, or -multi-family building(s) and as such the land is limited and restricted to such us as a surface parking lot only. This designation is intended to be used in proximity to residential properties in order to allow use of land for surface parking lots but be limited and restricted to the use. As this designation does not permit buildings there is no applicable floor area ratio or residential density. <i>Policy added to reflect changes adopted on April 22, 2013 per Ordinance 2917-13.</i>																																																	
45	<table><tr><th colspan="6"><del>Table 3 – Future Land Use Map Designation Maximum Density/ Intensity Table</del></th></tr><tr><th></th><th>Office</th><th>Commercial</th><th>Medium Density PD-1</th><th>High Density PD-2</th><th>C.B.D.</th></tr><tr><th>Density (units/ acre)</th><td>17 units/ acre</td><td>17 units/ acre</td><td>17 units/ acre</td><td>25 units/ acre</td><td>17 units/ acre</td></tr><tr><th>Intensity (FAR)</th><td></td><td></td><td></td><td></td><td></td></tr><tr><th>Up to 2-3 story limit</th><td>45%*+ 60%**</td><td>45%*+ 60%**</td><td>130%</td><td>130%</td><td>200%</td></tr><tr><th>Up to 4 story limit</th><td>45%*+ 60%**</td><td>45%*+ 60%**</td><td>175%</td><td>200%</td><td>Not permitted</td></tr><tr><th>Up to 5-8 story limit</th><td>45%*+ 60%**</td><td>45%*+ 60%**</td><td>N/A</td><td>250%</td><td>Not permitted</td></tr><tr><td colspan="6"><del>Note: All categories count private parking garage floor space toward FAR limits.</del> <del>Maximum number of stories is determined by the Maximum Height Map and may be further restricted by other policies of this Comprehensive Plan.</del>  <del>+ The 45% FAR may be increased up to 5% if parking for the increase is entirely underground beneath the foot print of the building or if the building’s upper floor(s) cantilevered over such parking or for hotel buildings.</del>  <del>* For any building project exclusively commercial or office; or any mix of commercial or office uses.</del>  <del>** For any building project at least 85% commercial or office on the first floor with residential units on upper floors.</del>  <del>Note: This table reflects the maximum intensities that may be permitted in the underlying zoning district. The maximum intensity that will be approved on any specific site will be based on the applicable development regulations and the ability of the project to further promote the goals of the City, but is not an entitlement.</del></td></tr></table>	<del>Table 3 – Future Land Use Map Designation Maximum Density/ Intensity Table</del>							Office	Commercial	Medium Density PD-1	High Density PD-2	C.B.D.	Density (units/ acre)	17 units/ acre	17 units/ acre	17 units/ acre	25 units/ acre	17 units/ acre	Intensity (FAR)						Up to 2-3 story limit	45%*+ 60%**	45%*+ 60%**	130%	130%	200%	Up to 4 story limit	45%*+ 60%**	45%*+ 60%**	175%	200%	Not permitted	Up to 5-8 story limit	45%*+ 60%**	45%*+ 60%**	N/A	250%	Not permitted	<del>Note: All categories count private parking garage floor space toward FAR limits.</del> <del>Maximum number of stories is determined by the Maximum Height Map and may be further restricted by other policies of this Comprehensive Plan.</del>  <del>+ The 45% FAR may be increased up to 5% if parking for the increase is entirely underground beneath the foot print of the building or if the building’s upper floor(s) cantilevered over such parking or for hotel buildings.</del>  <del>* For any building project exclusively commercial or office; or any mix of commercial or office uses.</del>  <del>** For any building project at least 85% commercial or office on the first floor with residential units on upper floors.</del>  <del>Note: This table reflects the maximum intensities that may be permitted in the underlying zoning district. The maximum intensity that will be approved on any specific site will be based on the applicable development regulations and the ability of the project to further promote the goals of the City, but is not an entitlement.</del>						CPTF – F.S. says min and max? Possibly strike this table.  This is also in the LDR, not needed here.
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46	<b>OBJECTIVE 1-2.4: INDUSTRIAL FUTURE LAND USE DESIGNATION.</b> The City shall allocate sufficient land to accommodate industrial development. The allocation of land resources for industrial development shall be concentrated in strategic locations. Policies for managing the location and intensity of industrial development shall be responsive to the location and space requirements of industrial activities and potential fiscal and environmental impacts on the City of Winter Park.	
47	<b>Policy 1-2.4.1: Mixed Use Overlay District</b> <del>District</del> . Within one year from the adoption of this Comprehensive Plan, the City shall explore <del>shall explore will create</del> a mixed use overlay for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design. Complementary uses may include, but are not limited to retail, entertainment, office, civic and residential uses. The City shall also prepare companion land development code regulations that implement the proposed mixed use overlay simultaneously with any policy amendments related to this overlay district. All policies related to this overlay will be subject to a Comprehensive Plan amendment.	<p>Per P&amp;Z recommendation – need to work on creating this overlay or district or zoning category sooner rather than later, the ‘shall explore’ language is too weak. Wanted to discuss further on if it should be ‘commercial corridors’ or a single commercial property. This should be a new zoning district to enable underutilized parcels to be brought to a higher economic value in a sensible way that the community will embrace. OR We need to fix our current PD language.</p> <p>CRAB had discussions that there should be a district like this to appropriately encourage higher density and opportunities for the CRA that are economically viable while maintaining the Winter Park ‘brand’. Essentially more square footage would allow for greater investments which could in return allow for more public parking opportunities.</p> <p>CPTF was in favor of a public process to see how this policy evolves</p>
48	<b>Policy 1-2.4.12: Industrial.</b> This Future Land Use Map land use designation includes the light manufacturing storage and warehouse uses which are permitted within I-1 zoning district. Other allowable uses include retail business and offices. The intensity of use in this designation is up to a floor area ratio of 0.45 (45%)% when used for retail and office uses and up to a floor area ratio of 1.00 (100%)% when used for storage or warehouse uses.	
49	<del><b>OBJECTIVE 1-2.5: INSTITUTIONAL FUTURE LAND USE DESIGNATION.</b> The City shall assure that needed public services and facilities are developed concurrent with new development, including adoption of an adequate facilities ordinance within the City's Land Development Code. In addition, the City shall use the capital improvement program and budget process to pursue advance acquisition of land required to provide recreation, conservation, and related public benefits and to promote multiple use of public lands.</del>	
50	<b>Policy 1-2.4.3: Maintain Industrial Land Use.</b> The City shall maintain industrial future land use category. Any expansion of industrial activities shall be determined based on several factors such as employment opportunities, market area and the impacts on transportation and public services.	
51	<del><b>Policy 1-2.5.14.4: Institutional.</b> This Future Land Use Map land use designation includes lands used by governments, hospitals, churches, community centers, schools, utilities and social service agencies serving the public. This designation is compatible with the P.Q.P. zoning and any future hospital or medical arts district. However, these types of uses are also permitted as conditional uses within other designations. Theand PL zoning districts the intensity of use in the designation is up to a maximum 45% floor area ratio outside of the Central Business District and up to a maximum 200% floor area ratio inside the same as the Central Business District future land use designation inside the C.B.D. Public parking garages (not private) may be excluded from the floor area ratio by the City Commission.</del>	
52	<del>1. —</del> <b>Policy 1-2.4.5: New Institutional Facilities.</b> Since any new institutional facilities or expansions can only occur through conditional uses or Future Land Use Map changes, these proposed types of facilities such as public governmental buildings, schools, colleges or universities, public utility facilities, public parking lots, churches, museums, libraries, retirement and nursing homes, hospitals and non-profit community service facilities (excluding private clubs and lodges) may be exempted from <del>policy 1-2.5.1</del> policies in this element which discourages land use plan map changes so that appropriate future sites may be established that shall provide these public services and benefits.	
53	<del><b>Policy 1-2.4.6: Ensure Compatibility of New Community Institutional Facilities.</b></del> New community facility uses or expansions shall be permitted only when those facilities or uses are compatible with the character of the surrounding area, and when there is minimal additional impact over that possible by existing land use, for such factors as traffic, parking, noise, height and size of the facilities.	
54	<del>3. <b>Policy 1-2.4.7: Redevelopment of Rollins College.</b> The City shall strive to accommodate the enhancement and redevelopment of the Rollins College campus to the extent that such redevelopment is compatible with the height and density of surrounding properties and is in compliance with our Land Use Development Codes. Development of the Rollins College campus and ancillary facilities shall be in accordance with an adopted Master Plan to be presented for approval within one year of adoption of this Comprehensive Plan.</del>	
55	<del>4. <b>Redevelopment of Winter Park Hospital Campus.</b> The City shall strive to accommodate the enhancement and redevelopment of the Winter Park Hospital campus and their administrative properties as a paramount public service purpose. To this end the creation of a Hospital/Medical Arts district shall be considered. Development of the Winter Park Hospital campus and ancillary facilities shall be pursued in accordance with the conceptual Master Plan approved April 25, 2005.</del>	
56	<b>Policy 1-2.4.8: Institutional Future Land Use for Churches.</b> The City hereby designates churches and other religious institutions with an Institutional future land use map designation. The underlying zoning districts may remain either residential or commercial to permit redevelopment in the future through the City’s Conditional Use process. If a church intends to vacate their use of church property for non-related private development, the Church shall not rely upon the Institutional future land use designation for entitlements. The entitlements for private redevelopment shall be governed by the existing zoning designations and the City shall be empowered to administratively change the Institutional future land use designation, without consent of the owner to reflect a private non-institutional use of the property in accordance with the zoning designation.	

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57	<b>OBJECTIVE 1-2.65: OPEN SPACE, RECREATION AND CONSERVATION FUTURE LAND USE DESIGNATIONS.</b> The FLUM series shall identify lands that are environmentally important necessitating for long-term preservation by designating them as “ <del>CON.</del> ” <u>Conservation</u> . Environmentally fragile lands shall be referred to as conservation resources. The protection and preservation of conservation resources shall be achieved through the implementation of the following Policies.	
58	<b>Policy 1-2.65.1: Open Space and Recreation.</b> This Future Land Use Map designation accommodates land used for either passive or active recreation and land left in its natural state for environmental or conservation reasons. It encompasses public and private parks, golf courses and recreation areas and cemeteries which shall be precluded from development and those areas on unplatted parcels which the City shall consider for dedication as parkland when subdivision occurs. Land designated as parks and open space would also preclude its use for streets or roads. This designation standard for intensity of use is for passive recreational or active recreational facilities. The maximum floor area ratio for land designated Open Space and Recreation shall be 0.20 (20%)% for active recreation facilities such as Community Centers and 0.10 (10%)% for passive recreational facilities.	
59	<b>Policy 1-2.65.2: Conservation (CON).</b> <del>The FLUM shall designate.</del> This Future Land Use Map designation includes lands that are natural and conservation resources as “ <del>CON.</del> ” <u>Conservation</u> . It is the intent of the “ <del>CON.</del> ” <u>Conservation</u> future land use designation to provide for the long-term protection and preservation of environmentally sensitive natural resource systems. The Conservation Future Land Use Map designation is designed to indicate the specific areas, of wetland floodways and the 100-year flood plain, for the Howell Branch Creek areas between Lakes Sue and Virginia and north of Lake Maitland that shall be conserved in their natural condition so that the physical and biological functions of the land may be optimized. No development other than structures that benefit the general public, such as boardwalks or access way for maintenance, are permitted on this land and/or stream front wetland floodplain areas. Access is limited so that these areas may also serve as a safe haven area for wildlife. The City shall have the option of obtaining a conservation easement from the property owner(s) to protect sum lands. The only exception and intensity of use potentially permitted is a boardwalk or gazebo for the passive enjoyment of this natural area provided the construction and use is non-intrusive and non-disruptive to the primary purpose as a natural conservation area. <i>Policy amended to reflect changes as adopted on July 14, 2014 per Ordinance 2971-14.</i>	
60	<b>GOAL 1-3: URBAN DEVELOPMENT AND CHARACTER:</b> The City will continue to promote <u>urban</u> redevelopment that meets the quality and standards set out in this Plan.	Per P&Z recommendation
61	<b>OBJECTIVE 1-3.1: PREVENT PROLIFERATION OF URBAN SPRAWL.</b> The City shall continue to foster quality development while respecting the context and heritage of urban growth through the City.	
62	<b>Policy 1-3.1.1: Development Orders and Permitting Process.</b> Development orders and permits for all future development shall be timed and staged to assure requisite infrastructure and services are available to respective developments concurrent with the impacts of the development.	
63	<b>Policy 1-3.1.2: Encouraging Infill Development.</b> The City will encourage quality, compatible infill. Actions including installation of sewer line expansions, reuse line expansion, and undergrounding of utilities will be evaluated as potential ways to encourage such infill.	
64	<del><b>GOAL 1-3: IMPLEMENTING LAND USE GOALS AND OBJECTIVES. CONTINUE TO MONITOR AND EVALUATE DEVELOPMENT AND RESOURCE CONSERVATION WITHIN THE CITY PURSUANT TO GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT AND CARRY OUT AN EFFECTIVE IMPLEMENTATION PROGRAM.</b></del>	
65	<del><b>OBJECTIVE 1-3.1: IMPLEMENT THE FUTURE LAND USE ELEMENT.</b> The City of Winter Park shall maintain, enforce and implement a Future Land Use Element of the Comprehensive Plan as contained herein, which includes all information, future land use categories, maps, analyses, standards and measurable objectives necessary to conform to the requirements of Chapter 163.3177(6) (a) Florida Statutes.</del>	
66	<del><b>Policy 1-3.1.1: Enforce the Future Land Use Element.</b> The Future Land Use Element of this Comprehensive Plan and the other Elements shall provide the foundation, basis and rationale for all of the City's land development regulations and the Future Land Use Element shall take precedence in establishing land development policies, regulations and the categories of land use within the City.</del>	
67	<del><b>Policy 1-3.1.2: Land Development Code to Implement the Future Land Use Element.</b> The Future Land Use Element shall govern and the City's land development regulations shall implement the Comprehensive Plan.</del>	

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68	<p><del><b>Policy 1-3.1.3: Compatibility between Adjacent Land Uses.</b></del> The City shall promote compatibility between adjacent land uses by regulating new development or redevelopment in the following ways:</p> <p><del><b>a.Open Space, Landscape and Other Buffers.</b></del> Require that appropriate open space, landscaping, and buffers, including but not limited to canopy trees, specimen trees, and shrubs, be preserved, protected and maintained between residential uses and nonresidential uses including parking lots. The City shall require, by virtue of landscaping requirements, retention requirements or impervious coverage limits that single family properties may not exceed 50% impervious coverage or 60% impervious coverage if limited and restricted to a one story residence; low density residential may not exceed 65% impervious coverage, multi family residential and planned developments may not exceed 75% impervious coverage; and non residential development may not exceed 85% impervious coverage, except in areas designated as Central Business District.</p> <p><del><b>b.Minimizing Off-Site Impacts from Nonresidential Development on Adjacent Properties.</b></del> The City shall establish conditional use procedures for managing specific locations, site plan characteristics, building intensity, as well as building size, mass, articulation, and other design features in order to minimize the adverse off site impacts that are characteristic of specific conditional uses, including but not limited to: drive in businesses such as banks and fast food establishments, vehicle repair or service operations, and restaurants serving alcoholic beverages. The purpose of conditional use reviews shall be to permit these types of business operations only if adverse off site impacts related to on street parking, traffic congestion, noise and other nuisance and public safety issues can be successfully mitigated.</p> <p><del><b>c.Off Site Impacts on Adjacent Properties.</b></del> Ensure building projects mitigate any adverse off site impacts on adjacent properties from overflow parking, noise, odor, lighting or vibration.</p> <p><del><b>d.Run-off onto Adjacent Properties.</b></del> Require that no grading or filling of land be permitted that causes additional runoff onto adjacent properties.</p> <p><del><b>e.New Development on Adjacent Properties and Tree Preservation.</b></del> Ensure permits are not granted for any conditional uses that have buildings located proximate to property lines such that visually impact adjacent properties or necessitate the removal of trees shared by both properties.</p> <p><del><b>f.Traffic Congestion and Reduced Access to Adjacent Properties.</b></del> Ensure that property access does not cause traffic congestion or other situations that negatively impact access onto adjacent properties.</p> <p><del><b>g.Accomplish a Smooth Transition in Land Use.</b></del> Ensure that in all future zoning and land use decisions, a reduction in intensity or density or other appropriate design solution ensures that a smooth transition shall occur from nonresidential areas to residential or open space/conservation areas except internally within projects incorporating residential and non residential uses.</p> <p><del><b>h.Preserve Functions of Natural Environment and Avoid Encroachments by Development.</b></del> Ensure that no structures or uses are permitted in or adjacent to the wetland conservation areas that will affect, impact or intrude on the natural environmental functions of these areas as safe and secure habitat for wildlife and vegetation or will negatively impact the filtration of aquifer recharge.</p> <p><del><b>i.Wellhead Protection.</b></del> Implement wellhead protection policies which are specifically defined in Conservation Policies 5 1.3.7 and 5 1.3.8 so that incompatible uses involving commercial or industrial businesses or the storage of any sewage or hazardous or toxic waste are not permitted within the protection zone.</p> <p><del><b>j.Compatibility of Infill Development.</b></del> When considering changes in land use designations, zoning, lot consolidations or lot splits, or conditional use approvals, the City shall restrict mass and establish setbacks to insure new development is compatible with the scale and placement of structures on surrounding properties.</p>	
69	<p><del><b>Policy 1-3.1.3</b></del> <b>Policy 1-3.1.4: Concurrency Management System to Ensure Timely Provision of Facilities at Adequate Levels of Service.</b> The City's concurrency management system shall provide, and the City shall require, that facilities and services serving proposed development meet the City's adopted level of service standards and be available concurrent with the impacts of development, or that development orders and permits are specifically conditioned upon the availability of the facilities and services necessary to serve the proposed development. The City shall, as a precedent to the issuance of any development order or building permits, require that services and facilities be <del>concurrently</del><u>either available or programmed</u> to meet the needs of that development and the development must meet locally established level-of-service standards for <del>parks/recreation, roads, drainage, sanitary sewer, potable water and solid waste.</del></p>	
70	<p><del><b>Policy 1 3.1.5: Timely Provision of Utilities.</b></del> The City's concurrency management system shall require that facilities needed to provide utility service to the various land uses are authorized at the same time as the land uses are authorized.</p>	



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71	<del><b>Policy 1-3.1.6: General Functions of the Future Land Use Element Implemented through Site Plan Review Process.</b> The City shall require site plan review approval of all new development/redevelopment. The site plan review process shall ensure that Comprehensive Plan policies for preserving open space, protecting existing trees, storm water management, safe and efficient traffic flows, off street parking, preservation of historically significant properties, protection of potable water wellfields, and protection of environmentally sensitive areas.</del>	
72	<del><b>Policy 1-3.1.7: Hospital Medical Arts Complex.</b> The City shall investigate and study the feasibility of creating a Hospital and Medical Arts land use district.</del>	
73	<del><b>Policy 1-3.1.8: Implement Affordable/ Workforce Housing Program.</b> The City shall take a proactive position to maintain the ethnic and economic diversity of its population by implementing the affordable/ workforce housing program outlined within the Housing Element wherein the City shall use affordable housing linkage fees and other sources to purchase land and fund the construction of housing units affordable to very low, low, or moderate income families and individuals so that 5% of all new housing construction in the City is of affordable/ workforce housing. (New housing means new net housing units and excludes demolitions and rebuilding of units).</del>	
74	<del><b>OBJECTIVE 1-3.2: MAINTAIN THE ECONOMIC VITALITY OF THE CITY.</b> Plan and manage the City’s land resources so that the City may continue to enhance the quality of Central Business District, the CRA, the City’s business corridors, Winter Park Memorial Hospital, Rollins College, small industrial areas, public institutional and religious facilities, and its abundant park and recreational facilities. The City’s demographics feature ethnic and economic diversity. While the City of Winter Park is primarily and increasingly an affluent community, there are significant segments of the population who are at or below the median household income. As a result Winter Park’s residential development spans the range from modest Habitat for Humanity homes to custom estate homes and the values and interests of this diverse citizenry shall be represented in growth management decisions.</del>	
75	<del><b>Policy 1-3.2.1: Enhance the Ambiance and Quality of Winter Park’s Wide Ranging Business Climate.</b> The City of Winter Park shall maintain the charm of the City’s Central Business District’s “village” ambiance comprised of compact offices and one of the premier shopping districts in Florida by preserving the eclectic mix of architectural styles that allows offices, unique retail shops and upstairs residents to coexist in a charming manner that is emulated by cities everywhere. The vitality of Winter Park’s existing premiere retail shopping districts, with small unique shops, is essential to the continued success of our historic downtown area. To ensure economic sustainability of our premier shopping districts, the City shall encourage centralization of architecturally compatible, quality retail establishments into existing retail areas. In order to maintain the city’s village character, in any new planned development project, single tenant retail developments over 65,000 square feet are not permitted.</del>	
76	<del><b>Policy 1-3.2.2: Maintain the Character and Scale of the Central Business District:</b> The City shall maintain the character and scale of the Central Business District (CBD), including the Park Avenue Corridor as one of the premier downtown retail shopping districts in Florida, by reinforcing attributes that underlie its ambiance and special character, including its pedestrian scale, the relationship of its buildings and their orientation to the street, the eclectic mix of architectural styles, the open space vistas of Central Park, and the predominance of small distinctive specialty shops. This Comprehensive Plan imposes a two-story limit throughout the Central Business District as depicted on the Winter Park Central Business District Boundary Map located in the Definitions section of this Comprehensive Plan. These height restrictions may be increased to a maximum 3 stories if the development is approved by the City Commission as a Conditional Use and conforms to the Maximum Height Map. Third floors approved by conditional use in the CBD must be setback on street frontages equal to their height of a one foot setback for each one foot height of the third floor. Properties designated low density residential, and other properties identified as limited to two stories on the Maximum Height Map are not candidates for the 3-story height Conditional Use. The maximum floor area ratio within the CBD shall include private parking garages which are either at grade or elevated in calculations of floor area. Subterranean parking garages and public parking garages may be excluded from floor area calculations by the City Commission. <i>Policy amended to reflect changes as adopted on July 14, 2014 per Ordinance 2970-14 and 2971-14.</i></del>	
77	<del><b>Policy 1-3.2.3: Hannibal Square Neighborhood Commercial District.</b> Comprehensive Plan land use policies shall foster redevelopment of the Hannibal Square Neighborhood Commercial District with its own distinct individual scale and character but sharing some of the characteristics of the Central Business District. Commercial, office and residential development policies shall permit buildings footprints that have minimal setbacks from the street in order to foster a pedestrian friendly environment and design standards shall require streetscape amenities and foster architectural features that promote a human scale. These policies shall be implemented within the Hannibal Square Neighborhood Commercial District, limited to: 1)Properties abutting Morse Boulevard between Capen Avenue and Virginia Avenue; 2)Properties abutting New England Avenue between Pennsylvania and New York Avenues; 3)Properties abutting Pennsylvania Avenue between Lyman and Garfield Avenues, including those existing commercial properties just north of Garfield Avenue; and 4)Properties abutting Hannibal Square East.  The C-2 zoning district delineation shall only be applied to properties designated CBD on the Future Land Use Map. Pursuant to CRA policy direction, mixed use buildings are encouraged. Two-story maximum building heights shall be the maximum permitted, except the City may permit third stories when limited to residential use and deed restricted for residential usage only. Building heights on the north end of Pennsylvania Avenue shall be two stories maximum when transitioning to residential.</del>	
78	<del><b>GOAL 1-4: BUSINESS AND QUALITY OF LIFE.</b> It is the goal of the City to create an <u>entrepreneurial</u> environment that balances business creation and growth while maintaining an exceptional quality of life for its residents through appropriate placement, advanced City services and expanding tax base.</del>	Per P&Z recommendation
79	<del><b>OBJECTIVE 1-4.1: MAINTAIN THE ECONOMIC VITALITY OF THE CITY.</b> Plan and manage the City’s growth and redevelopment to promote an attractive business climate while protecting the residential character of Winter Park.</del>	

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80	<b><u>Policy 1-4.1.1: Economic Development Plan.</u></b> The City will administer an economic development plan that considers existing and future economic indicators, opportunities in technology, redevelopment along major corridors and expanded public/private partnerships.	
81	<b><u>Policy 1-4.1.2: Funding.</u></b> The City will pursue State and Federal grant funds that may be applicable to recreational and infrastructure improvements as well as other activities that enhance the City’s competitive position in attracting new business and industry.	
82	<b><u>Policy 1-4.1.3: Redevelopment along Major Corridors.</u></b> The City will monitor the redevelopment of its major commercial arterials including Orlando Avenue, Lee Road, Fairbanks Avenue, Aloma Avenue, and Orange Avenue to determine trends, employment activity, high areas of redevelopment activity and compatibility and work to create policies and implementation tools to ensure quality.	
83	<b><u>OBJECTIVE 1-4.2: ARTS AND CULTURE.</u></b> The City will continue to enhance local attractions and recreational facilities to promote tourism and quality of life, recognizing that the creative arts and culture play a major role in building and sustaining economically vibrant communities by generating jobs, revenue, and tourism.	
84	<b><u>Policy 1-4.2.1: Tourism.</u></b> The City shall explore the administration of an events study to determine the economic impact of local shopping and tourism.	
85	<b><u>Policy 1-4.2.2: Support of the Arts and Culture Community.</u></b> The City shall explore the economic value of its major nonprofit arts and cultural establishments and assist where appropriate to ensure their continued longevity.	
86	<del><b><u>OBJECTIVE 1-</u></b></del> Shared parking shall be encouraged and enforced whenever parking management plan approvals are granted. The implementing land development regulations must ensure that compatible land use relationships occur, particularly between land uses within perimeter areas of the Hannibal Square Neighborhood Commercial District and areas 500 feet outside this area so as to protect the surrounding residential areas and local churches.	
87	<del><b><u>Policy 1-3.2.4: New England Avenue Transitional Development Standards.</u></b></del> In addition to the policy parameters outlined above, the portion of the Hannibal Square Neighborhood Commercial District comprising properties that front on New England Avenue between Virginia and New York Avenues may be developed with enhanced density and intensity. <del><b><u>4.3: IMPLEMENT THE CRA PLAN.</u></b></del> The City and Orange County shall partner in the execution of the CRA Plan as the Winter Park CRA Agency.	
88	<del><b><u>Policy 1-4-</u></b></del> Notwithstanding the limitations otherwise imposed upon properties designated with Commercial future land use, for any lots fronting on New England Avenue from Virginia to New York Avenues, development may be permitted enhanced density and intensity up to a maximum 100% floor area ratio (FAR).	
89	<del><b><u>Policy 1-3.2.5: Redevelopment of Areas Designated Commercial and Office/Professional.</u></b></del> The City shall encourage the redevelopment of areas designated Commercial and Office/Professional at a floor area ratio up to the maximum permitted by those future land use designations to sustain the City’s employment base and fiscal condition. At grade or elevated parking areas shall be included in floor area ratio calculations. However, the City shall ensure that such redevelopment contributes to the aesthetic character of the City by replacing or refurbishing older buildings to comply with the City’s design standards which shall address the quality of architectural design to achieve more compatible relationships in the design of buildings, avoid unsightly appearance, and avoid structural incompatibilities. In evaluating development proposals the City shall ensure that compatible land use relationships occur, particularly between land use within perimeter areas of land designated commercial and office and less intense development located within five hundred (500) feet outside such areas. Regulatory measures shall ensure that issues pertaining to land use density and intensity as well as building height, mass, articulation, and fenestration reinforce a smooth and compatible land use transition. In addition, the City shall ensure that redevelopment proposals within Commercial and Office/Professional designated areas do not adversely impact the City’s traffic flow and level of service for public facilities and comply with the City's landscaping, storm water management, and sign regulations.	
90	<del><b><u>Policy 1-3.2.6: Planned Development Land Use.</u></b></del> The City recognizes that Planned Developments, on specific properties identified as Planned Development Candidates (Map 6a-6d), may be appropriate if restricted to height, intensity and density compatible with the surrounding Commercial areas. The purpose of this Land Use Designation is to create zoning that will:  a.Increase the City's tax revenues by providing Class A Office, Commercial or Residential that satisfies demonstrated space needs within the City. The City encourages development of Class A Office.  b.Enhance the City's gateways by providing incentive for redevelopment.  c.Substantially increase landscaping, trees and setbacks obtainable from existing Commercial/Office designations by providing not less than 25% natural pervious green space.  d.Create inviting pedestrian-oriented public spaces.  e.Provide increased flexibility to the City in the consideration of unique development opportunities.——  The City shall develop standards for the new Planned Development zoning code districts within the restraints of the maximum density, intensity of use and height limits specified in this Comprehensive Plan for the Planned Development Future Land Use Designations. The total building lot coverage allowed for the sum of all buildings within a Planned Development is limited to 47% in Medium Density Planned Developments and 55% in High Density Planned Developments. Single tenant retail in excess of 65,000 square feet is prohibited. The objective of these development codes is to provide meaningful guidance for the introduction of limited increased density without adversely impacting the existing pedestrian scale and low density attributes of our historic core or nearby residential areas. Identification as Candidates for Planned Development does not create an entitlement to be approved for this Land Use Designation. All redesignations are subject to Public Hearings and Commission approval. This Planned Development Candidate designation is a test program and will be reassessed after 5 years. It is the prerogative of the City to reject a candidate or to remove a property from the list of properties to be considered, if changes in conditions warrant.—	

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91	<p><del><b>Policy 1-2.3.7: Creation of Two Planned Development Districts.</b> Within one year after adoption of this Comprehensive Plan, the City Commission shall adopt two new Planned Development Zoning Districts (PD1 and PD2). Prior to adoption, the Planning and Zoning Commission shall evaluate Planned Development Zoning Districts and provide draft detailed regulations to regulate the new zoning districts. Regulations shall be proposed which address at a minimum:</del></p> <ul style="list-style-type: none"><li><del>a. At least two levels of density/intensity for Planned Developments based on proximity to the historic core of Winter Park.</del></li><li><del>b. Retail, office, and residential use standards</del></li><li><del>c. Open space and permeable space requirements</del></li><li><del>d. Appropriate height, scale, mass, setbacks, lot coverage and density restrictions</del></li><li><del>e. Long term maintenance of such facilities</del></li><li><del>f. Parking</del></li><li><del>g. Residential protection from noise, exhaust and lighting</del></li><li><del>h. Landscaping</del></li><li><del>i. Public spaces (courtyards/gathering places)</del></li><li><del>j. Transportation connections to bus transit and bike trails</del></li><li><del>k. Egress/ingress requirements including on site stacking</del></li><li><del>l. Consideration of inclusionary affordable housing</del></li><li><del>m. Sidewalk and streetscape enhancement</del></li><li><del>n. Proximity to residential zoning protections</del></li><li><del>o. Restrictions on use of Planned Development zoning for single tenant use</del></li><li><del>p. Minimum distance between Planned Developments</del></li><li><del>q. Transportation issues</del></li><li><del>r. Waste management and emergency vehicle access.</del></li><li><del>s. Tools for limiting mass of Planned Development individual buildings to ensure compatibility with the historic Village Character of Winter Park. At a minimum, consideration will be given to the following tools: Separation of large buildings into separate buildings, restricting wall heights at side yard setbacks, reducing heights along sensitive edges, establishing maximum wall plane lengths that reflect the traditional width of buildings along the street, and alignment of front setbacks.</del></li></ul> <p><del>The following minimum standards are hereby adopted to provide meaningful guidance to the future development of Land Use Development regulations governing Planned Development districts:</del></p> <ul style="list-style-type: none"><li><del>a. Minimum property size eligible for PD zoning is 80,000 sq ft</del></li><li><del>b. Maximum project size eligible for PD zoning is 3 acres. (Designated candidates in excess of 3 acres shall be eligible for approval as adjacent PD or adjacent Commercial or Office designations.)</del></li><li><del>c. Not less than seventy five feet of separation between any two principal PD buildings on sites larger than three acres</del></li><li><del>d. Not less than 25% natural pervious green space</del></li><li><del>e. Preference for Class A Office</del></li><li><del>f. Prohibition of single tenant retail in excess of 65,000 sq ft</del></li><li><del>g. Minimum setbacks to 20-30 feet from principal arterial road</del></li><li><del>h. Landscaping standards superior to Commercial/Office code requirements</del></li><li><del>i. Public spaces (including public courtyards) and 5-10 ft wide sidewalks</del></li><li><del>j. Parking garages minimally visible from street or architecturally compatible with principal buildings</del></li></ul>	

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92	<del><b>Policy 1-3.2.8: Future Land Use Amendments to Planned Development.</b> The City may approve, at its discretion, amendments or changes to the planned development future land use designation when convinced that the location is compatible to be granted additional density and intensity given the character of surrounding properties. In granting or approving the planned development designation, the City may limit the intensity below the maximums permitted by this element for any reason determined advisable. The adoption of planned development intensity shall only occur in locations where redevelopment is to be encouraged, where the scale and character of the resultant project will be compatible with the commercial/ office location where the parcel size is sufficient and where there are minimal impacts on nearby residential properties.</del>	
93	<del><b>Policy 1-3.2.9: Maintain Industrial Land Use.</b> The City shall strive to maintain its light industrial areas. The location and distribution of specific types of industrial activities shall be determined based on the following considerations: 1.Trip generation characteristics and impact on existing and planned transportation systems, including dependency on air or trucking for distribution of material and goods. 2.Anticipated employment generation, floor area requirements, and market area. 3.Ability to meet established performance standards to prevent or minimize nuisance impacts, such as emission of air pollutants, glare, noise or odor, or generation of hazardous by products. 4.Impact on established as well as anticipated future development and natural systems. <del>5.1.Impact</del> <del>on existing and planned public services, utilities, water resources, and energy resources.</del></del>	
94	<del><b>OBJECTIVE 1-3.3: IMPLEMENT THE CRA PLAN.</b> The City shall implement the intent of the CRA Plan, which shall serve as the City’s policy for redevelopment of the designated areas. However, in any situations where conflicts occur between the CRA Plan and the Comprehensive Plan or Land Development Code, the priority shall be as established by Policy 1.1.1.4.</del>	
95	<del><b>Policy 1-3.3.1: CRA Plan.</b> Coordinate and work with property owners and the development community to implement the intent of the CRA Plan and CRA strategic plan.</del>	
96	<del><b>Policy 1-3.3.2: CRA Tax Increment Financing and Other Plan Implementation Initiatives.</b> The success or failure of the CRA Redevelopment Plan hinges on the ability of the City to stimulate re-investment, to undertake public improvement projects, and to engender community support. The City has taken its first steps by identifying needs, evaluating alternatives, and preparing a Plan to guide efforts, and implementing several redevelopment initiatives. The City shall become the facilitator for Redevelopment Plan implementation.</del> <b><u>Policy 1-4.3.2: CRA Tax Increment Financing.</u></b> The City’s responsibilities shall include serving as the catalyst for stimulating, marketing, and encouraging both public support and private participation. As part of its responsibilities for maintaining and improving the CRA tax increment financing program, the City shall monitor CRA property values. These responsibilities shall include annual review, update, and evaluation of the effectiveness of the tax increment financing program including the timely processing of information by the City and County to ensure that the best interests of the City are carried forth.	
97	<del><b>OBJECTIVE 1-3.4: PERIODICALLY UPDATE PLANNING POLICY AND REGULATORY MEASURES TO MEET CHANGING GROWTH MANAGEMENT CONDITIONS AND PRIORITIES..4: ANNEXATION.</b> The City shall carry out annexation of unincorporated enclaves as well as certain fringe areas adjacent to the City which have been an integral part of the Comprehensive Plan since its original adoption in 1976. The program shall continue to be coordinated with Orange County and the adjacent municipalities of Orlando, Maitland, and Eatonville and shall continue to have as a principal objective the prevention of urban sprawl and disjointed urban service systems.</del>	
98	<del><b>Policy 1-4.4.1 Annexation.</b> Each annexation shall eliminate or partially eliminate an enclave, align municipal boundaries or establish a contiguous link with the City;</del>	
99	<del><b>Policy 1-4.4.2 Purpose.</b> Each annexation shall include property adjacent to the City which will generate revenues in excess of the cost of providing services including reserves, or shall provide the City control over the quality and scale of future development necessary to foster enhanced appreciation in property values of adjacent City lands.</del>	
100	<del><b>Policy 1-4.4.3: Actively Pursue the Annexation of Enclaves.</b> Winter Park shall actively pursue the annexation of enclaves as these additions provide economies and efficiencies in service delivery to both Orange County and the City of Winter Park.</del>	
101	<del><b>Policy 1-4.4.4: Small Scale Annexations.</b> Annexations of areas and updating the future land use map may be eligible to be considered as small scale exemptions provided that the ordinance review process addresses the suitability of land for development.</del>	
102	<del><b>Policy 1-4.4.5: Criteria for Pursuing Annexation and Required Cost/Benefit Study.</b> Winter Park shall pursue the annexation of growth areas adjacent to the City limits when it would align municipal boundaries, unite sections of the City, or generate revenues in excess of the cost of providing services while providing City control over the quality and scale of development. An annexation cost-benefit study shall be required for all annexations of growth areas through referendums.</del>	
103	<del><b>Policy 1-4.4.6: Intergovernmental Coordination with Orange County on Annexations.</b> The coordination with Orange County and municipalities adjacent to proposed annexation areas shall include coordinating land use and service delivery issues at an early stage in the annexation process as well as formal notice of all potential annexations consistent with state law.</del>	
104	<del><b>Policy 1-4.4.7: Joint Planning Agreements.</b> The City will work with Orange County to establish joint planning agreements for enclaves and new areas under consideration for annexation.</del>	

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105	<b><u>Policy 1-4.4.8: Annexation Reserve Areas.</u></b> As a first priority the City shall annex enclaves surrounded completely by the City. As a second priority the City shall annex contiguous unincorporated areas required to establish logical City boundary alignments that are defined by natural barriers, streets, or similar features and avoid service duplications. In addition, Winter Park will not establish different zoning or land use on annexed property without the notice to Orange County. The City of Winter Park has undertaken extensive coordination and shall continue such coordination with Orange County and the Cities of Orlando, Maitland and Eatonville regarding the City’s annexation program.	
106	<p><b><u>Policy 1-4.4.9: Proposed Annexation Areas.</u></b> The City has and shall continue to achieve the coordination with Orange County prior to annexing the four unincorporated Annexation Reserve Areas (ARAs) identified below:</p> <p><b><u>1.Annexation Reserve Area #1: Lake Killarney.</u></b> ARA #1 is a growth annexation area comprised of 198 acres, is located north of Fairbanks Avenue and is bounded by Lake Killarney on the north. The area contains approximately 1,300 residents and is primarily designated Low-Density Residential to the south side of the Lake, Office to the west along Wymore, and the Killarney Elementary School, located to the southwest near I-4, is designated Institutional. Annexation of this area would extend the City limits of Winter Park to I-4, the major barrier west of the City limits.</p> <p><b><u>2. Annexation Reserve Area #2: Kentucky/Oglesby.</u></b> ARA #2 is a growth annexation area comprised of 13± acres and accommodating approximately 40 residents, is located south of Fairbanks Avenue, north of Oglesby Avenue, east of I-4 and east and west of Clay Street. Annexation of this area would fill in the gap between the existing City limits and the City limits of Orlando to the south.</p> <p><b><u>3.Annexation Reserve Area #3: Lawndale.</u></b> ARA #3 is a growth annexation area containing 50± acres and approximately 300 residents, is located south of Minnesota Avenue, north of Harmon Avenue, west of Clay Street, and east of Wisconsin Avenue with a section extending north of Minnesota following Jackson Avenue west of Nicolet Avenue and east of Harold Avenue. Annexation of this area would fill in the gap between the existing City limits and the City limits of Orlando to the south.</p> <p><b><u>4.Annexation Reserve Area #4: Stonehurst.</u></b> ARA #4 is an enclave comprised of 5.6 acres and containing approximately 30 persons located in 13 single-family dwellings, is located in the south section of the City, south of Lake Virginia, north of Glenridge Way, between <del>Lauren-Laurel</del> Road and Winchester Drive. This area is an unincorporated Orange County enclave, completely surrounded by the City limits of Winter Park.</p>	Spelling Correction
107	<b><u>GOAL 1-5: QUALITY AND CHARACTER.</u></b> The City recognizes the many unique areas of the City and provides <del>placemaking</del> planning processes and regulations that ensures quality development while reflecting the context and heritage of the many facets of Winter Park.	Per P&Z recommendation
108	<b><u>OBJECTIVE 1-5.1: MAINTAIN AND PRESERVE THE CHARACTER AND QUALITY OF LAKEFRONT AND OTHER WATERFRONT DEVELOPMENT through the use of land use controls.</u></b> It is the intent of the City to apply land use controls to maintain and preserve the existing density, character and quality of lakefront land use by prohibiting lot splits and maintaining low densities.	
109	<b><u>Policy 1-5.1.1: Preserve Lakefront Estates.</u></b> To maintain the diversity of sizes of lakefront properties and estates and to strongly discourage the subdivision or split of such properties, the City shall preserve low densities along the City’s lakefront property, including larger lakefront estates in order to perpetuate the unique character of Winter Park that sets it apart from other cities throughout Florida.	
110	<b><u>Policy 1-5.1.2: Limitations of Development of Waterfront Lots.</u></b> The City shall require that the Planning and Zoning Board review and approve plans for construction on all waterfront properties.	
111	<b><u>Policy 1-5.1.3: Restrictions on Lake or Canal Lot Development.</u></b> The Planning and Zoning Board Commission shall have the discretion to place conditions on any lake or canal lot construction plan approval and to impose more stringent and restrictive requirements and development standards due to the environmental sensitivity of these properties.	
112	<b><u>Policy 1-5.1.4: Management of Lakefront Development.</u></b> The City shall restrict lakefront development outside of the floodplain and lake setback areas around the lakes to the lowest density residential land uses with the corresponding lot coverage and impervious coverage.	
113	<b><u>Policy 1-5.1.5: Management of Undeveloped Lakefront Lots.</u></b> Lakefront areas that are undeveloped but previously platted and in common ownership may combine lots so as to conform to the minimum lot sizes and frontages required or the average lot sizes and frontages of existing lots within a 500 ft. radius whichever is greater.	
114	<b><u>Policy 1-5.1.6: Development of Large Lakefront Tracts to Provide Adequate Public Access for Public Purposes.</u></b> The development of large unplatted lakefront tracts shall include provisions for public access of a passive nature and public visual access along with agreements for the proper maintenance of these areas.	
115	<b><u>Policy 1-5.1.7: Lakefront Setbacks.</u></b> The City shall enforce a minimum fifty (50) foot lakefront setback and require site plan review for all lakefront and canal front construction. The City shall prohibit filling in lakefront and stream front wetlands and shall require a conditional use approval for any type of allowable construction in such areas. In addition, no encroachment, fill, or other new development shall be permitted in a floodway. Development of flood prone areas shall be addressed on a site by site basis as part of the site plan review or conditional use process. The City shall coordinate with the State, the St. Johns River Water Management District, the East Central Florida Regional Planning Council, Orange County, state agencies, and other agencies concerned with managing natural resources. Such intergovernmental coordinating activities shall be directed toward protecting the values and functions of respective natural systems.	
116	<b><u>OBJECTIVE 1-5.2: PRESERVE THE QUALITY AND CHARACTER OF WINTER PARK’S RESIDENTIAL NEIGHBORHOODS.</u></b> By recognizing and maintaining the variety of neighborhoods and housing types available throughout the City, the City will protect and conserve the diverse range of residential opportunities.	



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117	<b><u>Policy 1-5.2.1: Maintain the Scale and Character of Neighborhoods.</u></b> The City shall accommodate redevelopment activity in a manner that does not produce residential development that substantially alter the scale or character of a street. The aim shall be to create opportunities for redevelopment that complement the features of the existing neighborhood.	
118	<b><u>Policy 1-5.2.2. Tools for Regulating Scale and Character of Neighborhoods:</u></b> The City shall regulate the degree and scale of development on single-family and low density properties through the use of setbacks, height limits, floor area ration and other land development regulations to manage the size, building mass, and design features of single-family and townhouse buildings.	
119	<b><u>Policy 1-5.2.3: Maintain the Quality and Character of Single-Family Residential Neighborhoods.</u></b> The City shall maintain the quality and attractiveness of public infrastructure and public property such as streets, sidewalks, parkways, street canopies, and plants on public property through the site plan review process.	
120	<b><u>Policy 1-5.2.4: Ensure Compatible Size, Form and Function are achieved in Areas Designated Low-Density Residential.</u></b> The City shall promote redevelopment and renovation of Low Density Residential and consider controls on the height, size and coverage of duplex, townhouse, and apartment buildings and required off-street parking to ensure compatibility, achieve a smooth transition in density, and protect adjacent Single-Family Residential designated areas.	
121	<b><u>Policy 1-5.2.5: Ensure Compatible Size, Form and Function are achieved in Areas Designated Medium- and High-Density Residential.</u></b> The City shall apply regulatory measures within Medium and High-Density Residential designated areas in order to avoid land use compatibility conflicts due to dissimilar building types, size, mass, articulation, height, and other design features or ancillary loss of views, privacy, and access to light, as well as noxious impacts of traffic, noise, adverse changes in drainage patterns, and other negative effects of incompatible development.	
122	<b><u>Policy 1-5.2.6: Investigate Policies for Density Issues Surrounding, Multiple Family Structures.</u></b> The City shall investigate approaches for revising land use policies addressing renovation or redevelopment of all multi-family regulations for apartments and condominiums, including their size, scale, design aesthetics and amenities.	
123	<b><u>Policy 1-5.2.7: Subdivision of Lot Splits of Single Family Estate Properties.</u></b> The City shall prohibit any subdivisions or lot splits of estate lots (one acre or greater) within areas designated single family residential.	
124	<b><u>Policy 1-5.2.8: Subdivision of Land and Lot Splits for Non-Lakefront Single Family and Low Density Multi-Family Property.</u></b> The City shall consider approving subdivision and lot split applications, which are not lakefront properties and which are not estate lots in areas designated single family, low density or multi-family residential, when the proposed new lots are designed at size and density that meet adopted subdivision regulations.	
125	<b><u>Policy 1-5.2.9: Lot Consolidations.</u></b> Lot consolidations resulting in the addition of more than 25 feet of new lot width and results in consolidated new lot sizes greater than 150% of the lot width or lot area standards shall require the approval by the City Commission. The City Commission in consideration of lot consolidation requests may limit the applicable floor area ratio as a condition of approval in order to preserve neighborhood scale and character.	
126	<b><u>OBJECTIVE 1-5.3: PROTECT ESTABLISHED RESIDENTIAL NEIGHBORHOODS FROM ENCROACHMENT OF NON-RESIDENTIAL USES.</u></b> In order to protect the scale and traditional neighborhood character around the City, any intrusion of non-residential land uses is discouraged.	
127	<b><u>Policy 1-5.3.1: Criteria for Managing Encroachment of Nonresidential Uses into Established Residential Neighborhoods.</u></b> The City shall require that any change in land use designation from residential to nonresidential comply with all of the following:  1. That this change shall not be a precedent toward other similar applications for change requesting similar land use as a matter of equity or fairness;  2. That the change can be demonstrated to be in the best interests of the City at large;  3. That the change can be demonstrated to be in the best interests of the adjacent residential area;  4. That residential use of the property is no longer a viable use.	
128	<b><u>Policy 1-5.3.2: Protect Single Family and Low-Density Residential Property from Parking Garages.</u></b> The City shall prohibit above grade parking garages within 100 feet of a single family or low density residential property.	CPTF move this policy next to the parking garage policies
129	<b><u>OBJECTIVE 1-5.4: DEVELOPMENT/REDEVELOPMENT OF MULTI-FAMILY RESIDENTIAL, COMMERCIAL, OFFICE, AND MIXED USE AREAS.</u></b> The City shall provide for development and redevelopment of its commercial and office areas when compatible with the scale and character the surrounding area context.	
130	<b><u>Policy 1-5.4.1: Redevelopment of Areas Designated Commercial and Office/Professional.</u></b> The City shall consider adopting architectural design review standards/guidelines along major transportation corridors, including form based code, identify building types and/or structural design features that shall be required or encouraged and those to be discouraged or prohibited due to their adverse impacts on property in the immediate area.	
131	<b><u>Policy 1-5.4.12: Improve Design Procedures and Resources and Architectural Review.</u></b> The City shall periodically update regulatory procedures designed/approved design guidelines to enhance the quality of architectural design, achieve more compatible relationships in the design of buildings, avoid unsightly appearance, avoid inordinate contrast in building mass, scale, height, articulation, and other design features. The desire is to achieve a beautiful, pleasant, principally village scale pedestrian orientated community by fostering and encouraging good design, pedestrian connectivity, landscaping and buffering, and good proportional relationships in design of building mass and scale. The desired design shall allow for individual styles and variety compatible with the historically accepted character of Winter Park. These design review considerations shall also be applied to ensure that proposed development near the perimeter of a Future Land Use Map designation as well as proposed development located near the perimeter of a zoning district boundaries have a land use density and/or intensity as well as design features such as cited herein which promote a smooth land use transition and compatible land use. The City shall apply review procedures to such properties to ensure that proposed “edge” development has a land use density and intensity as well as design features that foster a smooth and compatible transition in building mass, scale and design.	



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132	<del><b>Policy 1-35.4.2: Establishment of Architectural Design Review Process.</b></del> Upon one year of adoption, the City shall evaluate the necessity for an Architectural Review Board development.	
133	<del><b>Policy 1-3.4.3: Evaluate Creating a Park Overlay Zone.</b></del> The City shall protect parkland, recreation facilities, and conservation areas from the negative impacts of adjacent development. To this end, the City shall consider adopting a Park Overlay Zone. Within one year after adoption, the City Commission shall determine the feasibility of this overlay zone. If deemed, desirable, the Parks and Recreation Board shall provide a draft ordinance to the City Commission to accomplish the following: <div><input type="checkbox"/> Ensure that development of private property adjacent to parks, recreation and open space is compatible with their continued enjoyment;</div> <div><input type="checkbox"/> Protect park resources from visual and physical impacts that may be associated with development of private property near designated parklands;</div> <div><input type="checkbox"/> Enhance the public enjoyment of parks; and</div> <div><input type="checkbox"/> Preserve the habitat values of parks by protecting native plants, trees.</div>	
134	<del><b>OBJECTIVE 1-3.5: PROTECT ESTABLISHED RESIDENTIAL NEIGHBORHOODS FROM ENCROACHMENT OF NON-RESIDENTIAL USES.</b></del> The City shall discourage nonresidential intrusions into established residential neighborhoods and areas, and shall discourage such changes in land use designations.	
135	<del><b>Policy 1-3.5.1: Criteria for Managing Encroachment of Nonresidential Uses into Established Residential Neighborhoods.</b></del> The City shall require that any change in land use designation from residential to nonresidential comply with all of the following:  <div><div>1. That this change shall not be a precedent toward other similar applications for change requesting similar land use as a matter of equity or fairness;</div><div>2. That the change can be demonstrated to be in the best ——— interests of the City at large;</div><div>3. That the change can be demonstrated to be in the best interests of the adjacent residential area;</div><div>4. That residential use of the property is no longer a viable use.</div></div>	
136	<del><b>Policy 1-3.5.2:3: Investigate Just Compensation/Linkage System for Adverse Impacts Incurred by Changes in Future Land Use Designation from Residential to Nonresidential Use.</b></del> The City shall explore the feasibility of establishing a linkage system that addresses compensation for the loss of housing or housing opportunity and/or the need for public service or social program in consideration of the increase in value bestowed upon land through designation from residential use to nonresidential use.	
137	<del><b>Policy 1-3.5.3: Protect Single Family and Low-Density Residential Property from Parking Garages.</b></del> The City shall prohibit above grade parking garages within 100 feet of a single family or low density residential property.	
138	<del><b>OBJECTIVE 1-3.6: PRESERVE THE QUALITY AND CHARACTER OF WINTER PARK’S RESIDENTIAL NEIGHBORHOODS.</b></del> Protect and conserve the diverse range of residential opportunities, ranging from lakefront estates to high rise apartments. Maintain the single family neighborhoods within the City, including the variety of housing styles and values; the older neighborhoods that have a combination of historic homes and new development; as well as other neighborhoods comprised of modest homes on small interior lots as well as areas where large lakefront estates are predominant. Preserve opportunities for multifamily lifestyles, including duplex, townhouse, garden apartment and high rise apartment living as well as a variety of group housing including retirement homes, nursing homes, and adult congregate living facilities.	
139	<del><b>Policy 1-3.6.1: Maintain the Scale and Character of Neighborhoods.</b></del> New development and redevelopment shall occur in a manner that preserves the elements of the existing neighborhood character that provide the attractiveness and unique character of each individual neighborhood. The City shall accommodate redevelopment activity in a manner that does not produce new residences which substantially alter the scale or character of a street. The aim shall be to restrict home sizes so they do not visually overpower the natural features or amenities in a neighborhood, but instead compliment those features. The City shall regulate the degree and scale of development on single family properties through the use of the tools of setbacks, height limits, lot coverage restrictions and impervious coverage restrictions, floor area ration, limiting wall heights at side yard setbacks, reducing heights along sensitive edges, second floor step backs on front and side, establishing maximum wall plane lengths that reflect the traditional width of buildings along the street, roof pitches, and alignment of front setbacks. Winter Park applies and shall continue to apply a floor area ratio in managing the size, building mass, and design features of single family and townhouse buildings. Pursuant to the City’s strategic plan, the City shall review its residential development standards as new issues are confronted in maintaining a proper scale and intensity among adjacent uses in order to retain Winter Park’s “village” character.	
140	<del><b>Policy 1-3.6.2: Maintain the Quality and Character of Single-Family Residential Neighborhoods.</b></del> Maintaining the character and quality of life for these neighborhoods shall continue to be a major policy of the Comprehensive Plan. The City shall maintain the quality and attractiveness of public infrastructure and public property such as streets, sidewalks, parkways, street canopies, and plants on public property. Pursuant to the City’s strategic plan, the City shall review and revise its Land Development Code within one year of adoption of this Comprehensive Plan, to ensure that the scale and character of new development/redevelopment is compatible with existing single family neighborhoods. The City Planning Commission and City Commission shall continue to develop more stringent land development codes as needed to avoid the adverse impacts of increased Commercial and/or High-Density Residential development adjacent to historically Single Family or Low-Density Residential neighborhoods. The City shall protect Single Family neighborhoods from all impacts of development that are not compatible with Low-Density and Single-Family environments and shall prohibit parking garages abutting Single-Family and Low-Density Residential development. The City shall prohibit above-grade parking garages within 100 feet of a single family or low density residential property.	

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141	<del><b>Policy 1-3.6.3: Ensure Compatible Size, Form and Function are Achieved in Areas Designated Low-Density Residential.</b></del> Since much of the land designated Low-Density Residential is at densities up to ten (10) dwelling units per acre, the City shall enforce regulatory measures and develop additional land use and design standards to mitigate adverse impacts caused by varied types of uses and structures, such as single family homes, duplexes, townhouses, and small apartments. The City shall apply the conditional use review process together with floor area ratio regulations within Low-Density Residential designated areas in order to avoid land use compatibility conflicts due to dissimilar building types, size, mass, articulation, and height. The City shall promote redevelopment and renovation in these areas but the City shall place restrictive controls on the height, size and coverage of duplex, townhouse, and apartment buildings and required off-street parking to ensure compatibility, achieve a smooth transition in density, and protect adjacent Single-Family Residential designated areas.	
142	<del><b>Policy 1-3.6.4: Ensure Compatible Size, Form and Function are Achieved in Areas Designated Medium- and High-Density Residential.</b></del> The City shall apply regulatory measures including, but not limited to, conditional use review process together with floor area ratio regulations within Medium- and High-Density Residential designated areas in order to avoid land use compatibility conflicts due to dissimilar building types, size, mass, articulation, height, and other design features or ancillary loss of views, privacy, and access to light, as well as noxious impacts of traffic, noise, adverse changes in drainage patterns, and other negative effects of incompatible development. The conditional use process shall also be applied, together with other regulatory measures in managing land use issues surrounding the compatibility of the potentially negative impacts of transient accommodations on adjacent and nearby permanent residential areas.	
143	<del><b>Policy 1-3.6.5: Discourage Rezoning of Medium-Density Residential to High-Density Residential.</b></del> The City shall discourage the rezoning change in future land use designations of medium-density residential to high-density residential properties.	
144	<del><b>Policy 1-3.6.6: Investigate Policies for Density Issues Surrounding, Multiple Family Structures.</b></del> The City shall investigate approaches for revising land use policies addressing renovation or redevelopment of all multi-family regulations for apartments and condominiums, including their size, scale, design aesthetics and amenities, and the appropriateness of their conditional uses.	
145	<del><b>Policy 1-3.6.7: Subdivision of Lot Splits of Single Family Estate Properties.</b></del> Historically, Winter Park is a distinct residential community in part because of the existence of large estate properties. These existing estates, many with historical or architectural significance, provide a character that in turn creates value throughout the surrounding neighborhoods and the community. Thus, their preservation maintains the attractive character of Winter Park that helps to set it apart from other cities in Florida. The existence of large estate properties dispersed throughout Winter Park adds great attractiveness, appeal and value to residents and potential buyers as contrasted with newer more uniform homogenous subdivisions. In order to protect these features and values and preserve neighborhood character, the City shall strongly discourage any subdivisions or lot splits of estate lots (one acre or greater) within areas designated single-family residential. <i>Policy amended to reflect changes as adopted on October 11, 2010 per Ordinance 2825-10.</i>	
146	<del><b>Policy 1-3.6.7: Subdivision of Lot Splits of Single Family Estate Properties.</b></del> Historically, Winter Park is a distinct residential community in part because of the existence of large estate properties. These existing estates, many with historical or architectural significance, provide a character that in turn creates value throughout the surrounding neighborhoods and the community. Thus, their preservation maintains the attractive character of Winter Park that helps to set it apart from other cities in Florida. The existence of large estate properties dispersed throughout Winter Park adds great attractiveness, appeal and value to residents and potential buyers as contrasted with newer more uniform homogenous subdivisions. In order to protect these features and values and preserve neighborhood character, the City shall strongly discourage any subdivisions or lot splits of estate lots (one acre or greater) within areas designated single-family residential.	
147	<del><b>Policy 1-3.6.8: Subdivision of Land and Lot Splits for Non-Lakefront Single Family and Low-Density Multi-Family Property.</b></del> The City shall consider approving subdivision and lot split applications, which are not lakefront properties and which are not estate lots in areas designated single-family, low-density or multi-family residential, when the proposed new lots are designed at size and density consistent with the existing conditions in the surrounding neighborhood within a radius of five hundred (500) feet.	
148	<del><b>Policy 1-3.6.9: Lot Consolidations.</b></del> The City shall draft land development regulations which would require Planning Commission recommendation and City Commission approval for the consolidation or aggregation of residential lots in order to preclude the formation of lot-sizes and resultant larger building sizes that may be out-of-scale and size with existing street or neighborhood character. Lot consolidations resulting in the addition of more than 25 feet of new lot-width and if such consolidation also results in consolidated new lot-sizes greater than 150% of the lot-width or lot-area standards shall require the approval by the City Commission. The City Commission in consideration of lot consolidation requests may limit the applicable floor area ratio as a condition of approval in order to preserve neighborhood scale and character. <i>Policy amended to reflect changes as adopted on October 11, 2010 per Ordinance 2825-10.</i>	
149	<del><b>OBJECTIVE 1-3.7: MAINTAIN AND PRESERVE THE CHARACTER AND QUALITY OF LAKEFRONT AND OTHER WATERFRONT LAND USE.</b></del> Maintenance of green-pervious open-space along the lake shore is necessary for natural percolation and filtering of storm water runoff which is required to maintain lake water quality. Maximization of green-pervious open-space is necessary for the recharge of groundwater. Therefore, it is the intent of the City and this Comprehensive Plan to apply land use controls to maintain and preserve the existing density, character and quality of lakefront land use by prohibiting lot splits and maintaining low densities. Maintaining the low-range of residential density along the City’s lake frontage enhances the aesthetic appeal of the lake, shoreline, and the lake frontage. Maintenance of such low densities also reduces encroachment by water-related structures which impact the natural appearance of the lakefront and diminish the natural lake edge habitat that provides food and shelter for a wide range of aquatic wildlife. Limiting lakefront residential density limits boat-related impacts to the lake.	
150	<del><b>Policy 1-3.7.1: Preserve Lakefront Estates.</b></del> It is a policy of the City and of this Comprehensive Plan to maintain the diversity of sizes of lakefront properties and estates and to Strongly discourage the subdivision or split of such properties. The City shall preserve low densities along the City’s lakefront property, including larger lakefront estates in order to perpetuate the unique character of Winter Park that sets it apart from other cities throughout Florida. <i>Policy amended to reflect changes as adopted on October 11, 2010 per Ordinance 2825-10.</i>	

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151	<del><b>Policy 1-3.7.2: Status of the Genius Preserve.</b> Pursuant to the policy direction outlined for the Genius Preserve in Planning Area B-Osceola/ Lakeview any future subdivision request for the Genius Preserve shall be a large scale comprehensive plan amendment.</del>	
152	<del><b>Policy 1-3.7.3: Limitations of Development of Waterfront Lots.</b> The City shall require that the Planning and Zoning Commission review and approve plans for construction on waterfront properties due to the environmental sensitivity of such properties, including surface water management, water quality control, public safety and reduction of boating hazards, preservation of waterfront views, sensitivity of scale and design of house to slope of site and surrounding properties, suitability of soils for development and impacts of development on soil conditions and topography, elevation of water bottom, impact of development on aquatic habitat, and retention of natural shoreline appearance and vegetative cover including tree coverage. The Planning and Zoning Commission shall have the authority to apply specific conditions to development approvals for waterfront lots in order to ensure that future development properly addresses objectives herein stated within this policy or other policies incorporated in the Comprehensive Plan and Land Development Code. Similarly, the Planning and Zoning Commission shall have the authority to require scientific data describing existing and proposed characteristics of the site, land forms, water quality, and structural components.</del>	
153	<del><b>Policy 1-3.7.4: Management of Lakefront Development.</b> The City shall restrict lakefront development outside of the floodplain and lake setback areas around the lakes to the lowest density residential land uses with the corresponding lot coverage and impervious coverage.</del>	
154	<del><b>Policy 1-3.7.5: Management of Undeveloped Lakefront Lots.</b> Lakefront areas that are undeveloped but previously platted and in common ownership may combine lots so as to conform to the minimum lot sizes and frontages required or the average lot sizes and frontages of existing lots within a 500 ft radius whichever is greater.</del>	
155	<del><b>Policy 1-3.7.6: Development of Large Lakefront Tracts to Provide Adequate Public Access for Public Purposes.</b> The development of large unplatted lakefront tracts shall include provisions for public access of a passive nature and public visual access along with agreements for the proper maintenance of these areas.</del>	
156	<del><b>Policy 1-3.7.7: Restrictions on Lake or Canal Lot Development.</b> The Planning and Zoning Commission shall have the discretion to place conditions on any lake or canal lot construction plan approval and to impose more stringent and restrictive requirements and development standards due to the environmental sensitivity of these properties. For example, the City may require access easements to accomplish a public purpose, preservation of protected, specimen and heritage trees and control over density to ensure necessary measures to protect and preserve water quality and the unique features of the environmentally sensitive lakefronts.</del>	
157	<del>the application of a form based code along <b>OBJECTIVE 1-3.8: DEVELOPMENT/REDEVELOPMENT OF MULTI-FAMILY RESIDENTIAL, COMMERCIAL, OFFICE, AND MIXED USE AREAS.</b> The City shall provide for development and redevelopment of its commercial and office areas when compatible with the scale and character the surrounding area context</del> corridors to more effectively provide for the review of development.	
158	<del><b>Policy 1-3.8.1: Reviews of New Multi-Family, Commercial and Office Development/Redevelopment to Ensure Compatibility with Scale and Character of Existing Development.</b> The City shall encourage the development or redevelopment of multi-family residential, and commercial and office properties, that are consistent with the Future Land Use Map when deemed compatible for scale and density. Such development shall not exceed the maximum building stories and floor area ratio incorporated in this Comprehensive Plan. The maximum building height map, as a function of permitted stories, adopted as part of this comprehensive plan shall govern, limit and restrict building development to the maximum number of stories shown on the map. Mezzanine levels shall not be permitted in addition to the number of stories indicated.</del>	
159	<del><b>Policy 1-3.8.2: Include Parking Garages in Floor Area Ratio and Lot Coverage Calculations.</b> The City shall include all above-grade parking garages in Floor Area Ratio and Lot Coverage calculations. However, public parking garages or the public portion of public/ private garages may be excluded from this requirement by the City Commission.</del>	
160	<del><b>Policy 1-5.4.4</b></del> <b>Policy 1-3.8.3: Prohibit Fractional Ownership of Residential Units.</b> The City shall encourage a stable residential customer base by prohibiting the allowance of time-share or other fractional ownership of residential units.	EDAB – should change it to ‘interval’ instead of ‘fractional’ ownership
161	<del><b>Policy 1-3.85</b></del> <b>4.5: Encourage Single-Family Detached Homes.</b> The City shall encourage redevelopment of single family detached homes as opposed to apartments and condominiums in transitional areas by strongly discouraging- Future Land Use Map amendments from Single-Family Residential or Low-Density Residential to Medium or High-Density Residential. The intent of this policy is to provide a smooth transition of density/intensity of land use. However, the sole exception to this policy shall be with respect to an existing residential elderly housing development that is larger than 10 acres, the parcel to be changed is internal to the development, being at least 200 feet from Low density or Single Family in other ownership and there is a step down in intensity towards the perimeter of the development. <i>Policy amended to reflect changes as adopted on June 28, 2010 per Ordinance 2817-10</i>	
162	<del><b>Policy 1-3.8.5: Promote Visible Open Space in Multifamily Development.</b> Within one year of adoption of this Comprehensive Plan, the City shall amend its multifamily residential zoning districts (R-3/R-4) to reduce the maximum impervious coverage requirements in order to promote more visible open space and to eliminate credit for internal open space courtyards from counting toward the impervious or open space requirements.</del>	
163	<del><b>Policy 1-3.8.6: Promote Appropriate Scale and Height for Medium Density Multi-Family Development.</b> Except within the Central Business District geographical area, multi-family residential development within areas designated medium density residential (R-3) <u>Medium Density Residential</u> shall not exceed two stories in height unless approved via conditional use by the City Commission. In addition, such third floors must be entirely contained within a sloping roof having a maximum 12:12 roof slope. <i>Policy amended to reflect changes as adopted on October 11, 2010 per Ordinance 2825-10.</i></del>	
164	<del><b>Policy 1-3.8.7: Repeal Apartment/Hotel as a Conditional Use.</b> Upon completion or vesting of the Hotel project, as contemplated in the existing development agreement or as may be subsequently amended for the former Langford Hotel property at 300 East New England Avenue, the City shall repeal apartment/hotels as a conditional use and apartment hotels are not permitted to be developed within any Residential R-5.4 code.</del>	

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165	<del><b>Policy 1-3.8.8: Investigate the Form Based Code.</b> The City shall investigate the application of a form based code to more effectively provide for the review of development in accordance with the policies of this Comprehensive Plan.</del>	
166	<del><b>Policy 1-3.8.9: Preserve the Pedestrian Scale and Orientation of the CBD and Restrict Building Height.</b> The City shall preserve the pedestrian scale and orientation of the Winter Park Central Business District Boundary Map, as defined in the Definitions section of this Comprehensive Plan, by limiting development for any property to two stories in height or three stories (including any mezzanine levels) on a case by case basis via conditional use approval by the City Commission for any third floor. The pedestrian orientation is also protected by prohibiting new drive in businesses within the C-2 zoning locations east of Virginia Avenue. Approvals or other variances for more than three stories are prohibited. Third floors approved by conditional use must be setback on street frontages equal to their height on a one foot setback for each one foot height of the third floor. Properties designated low density residential and properties limited to two stories on the Maximum Height Map are not candidates for the 3-story height conditional use. <i>Policy amended to reflect changes as adopted on July 14, 2014 per Ordinance 2970-14 and 2971-14.</i></del>	
167	<del><b>Policy 1-3.8.10: Restrict Vehicle, Boat Sales, and Recreational Vehicle Sales and Operations.</b> The City shall concentrate and restrict vehicle, boat, and recreational vehicle sales businesses to the northwest section of the City and shall only permit vehicle sales businesses within the geographic areas specified in Planning Areas J and K. The location and site planning of all vehicle and repair and sales operations as well as boat sales operations shall be reviewed and evaluated based on conditional use procedures established in the Land Development Code.</del>	
168	<del><b>Policy 1-3.8.11: Restriction on the Use of CBD Future Land Use and (C-2) Zoning.</b> The City shall only permit the use of CBD future land use designations or C-2 zoning on property in the area depicted in the Map located on page D-4 within the definitions sections of this Comprehensive Plan. CBD future land use and C-2 zoning may also be permitted on properties abutting Morse Blvd between Capen and Virginia Avenues, abutting New England Avenue between Pennsylvania and New York Avenues, abutting Pennsylvania Avenue between Garfield and Lyman Avenues, or abutting Hannibal Square, East. Central Business District future land use designations or C-2 zoning shall not be permitted by the City for any property outside these designated areas. Properties within the designated areas are not deemed entitled to Central Business District future land use or to C-2 zoning nor should any property owner have any reasonable expectation that CBD FLU/C-2 zoning will be allowed. These are simply the area locations where properties may be candidates for C-2 which may or may not be granted by the City Commission on a case by case basis. <i>Policy amended to reflect changes as adopted on October 11, 2010 per Ordinance 2825-10.</i></del>	
169	<del><b>Policy 1-3.8.12.7: Gateway Plan for Development or Redevelopment of Properties.</b> Pursuant to the adoption of a</del> <u>The City shall create Gateway Plan by the City Commission, the City shall have the authority in the review of plans for the development or Plans for the potential redevelopment of properties to require that a portion of such property be reserved for the construction of such gateway design structures to be constructed and that the City Commission may require on a case by case basis a financial partnership arrangement between the property owner/ developer and the City to facilitate the construction of such gateway design structures.</u> <u>the major transportation corridors leading into Winter Park to include:</u>  <u>1.West Fairbanks Avenue from I-4 east to Orlando Avenue;</u>  <u>2.South Orlando Avenue from the City limits north to Orange Avenue; 3.</u>  <u>Aloma Avenue from the City limits west to Lakemont Avenue.</u>	<a href="#">EDAB recommended changing #2 to include all of Orlando Avenue from city limits north to city limits south.</a>
170	<del><b>Policy 1-5.4.8: Enhance the Appeal and Improve the Property Values of Certain Gateway Corridor Entrances into the City of Winter Park.</b> In order to establish, maintain and enhance the character and aesthetic appeal of certain important gateway corridor entrances into the City of Winter Park, and to increase the property values along such gateway corridor entrances to the City, in order to distinguish those gateways as attractive entrances into the City, the City shall, prohibit certain business types along the frontage of those roadway corridors to exclude any new or used car sales businesses, auto repair businesses, resale stores or pawn shops, vapor lounges or smoke shops, adult oriented businesses, gas/service stations and convenience stores.</del>	
171	<del><b>Policy 1-5.4.9: Pursue Programs for Billboard Elimination.</b> The City shall utilize regulations and incentive programs and pursue programs to achieve the elimination of the existing billboards within the City, including the use of eminent domain condemnations.</del>	
172	<del><b>Policy 1-5.4.10: Agreement for New or Relocated Billboards.</b> As prohibited uses, new billboard(s) shall only be permitted when done in exchange for the removal of existing billboard(s) within the City.</del>	
173	<del><b>Policy 1-3.8.13: Preservation of the Historic Character of Park Avenue and the Open Vista of Central Park:</b> All properties facing on Park Avenue or adjacent roads within 140 feet of Park Avenue shall be limited in height to two stories in height. All properties that abut Central Park or are located across from the park where development would impact the open vista of Central Park shall also be limited to two stories in height as depicted on the Maximum Height Map. Variances or approvals of development in violation of this policy are prohibited. <i>Policy amended to reflect changes as adopted on July 14, 2014 per Ordinance 2970-14.</i></del>	
174	<del><b>GOAL 1-6: STEWARDSHIP OF NATURAL RESOURCES.</b> The City will preserve the legacy of the natural environment through stewardship and enhancement of the many natural resources found within Winter Park.</del>	
175	<del><b>OBJECTIVE 1-3.96.1: PROTECT NATURAL RESOURCES AND FLOOD PRONE AREAS FROM ADVERSE IMPACTS OF DEVELOPMENT.</b> The City shall protect flood-prone areas, protect the safety of the citizens, and minimize public and private loss from flood damage. The City shall continue to carry out a development review process that ensures that development and conservation activities shall protect resources as directed in the policies below.</del>	

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176	<del><b>Policy 1-3.9.1: Managing Environmentally Sensitive Lands.</b> Policies in the Conservation Element for managing environmentally sensitive natural systems such as wetlands, lakes, shorelines, aquifer recharge areas, threatened or endangered habitat and other sensitive resources shall be carried out through applying the buffers, limitations on development and other regulatory actions required by Policies 4-6.1.6, Policy 5.1.5.3, Policy 5-1.5.4 and Policy 5-1.5.5. These and other natural</del> <b>Policy 1-6.1.1: Managing Environmentally Sensitive Lands.</b> Natural resources identified on the FLUM series shall be protected and/or preserved pursuant to goals, objectives, and Policies established in the Conservation Element of the Comprehensive Plan. <del>In addition, the Land Development Code shall provide more detailed procedures and performance criteria to implement conservation and natural resource protection. The Land Development Code shall also provide for wetland preservation consistent with the requirements and regulations of the St. Johns River Water Management District and the FDEP.</del>	
177	<del><b>Policy 1-3.96.1.2: Storm Water Management, Flood Prevention, Water Quality and Intergovernmental Coordination.</b> The City shall manage storm water runoff and prevent adverse impacts on water quality. Winter Park shall continue to be a participant in the National Flood Insurance Program which provides flood insurance to home owners and businesses. The City shall enforce its adopted floodplain management regulations which require new construction within the floodplain to construct the lowest floor above the 100 year flood elevation, and place restrictions on the materials and types of construction permitted. In addition to floodplain regulations, the City shall enforce a minimum fifty (50) foot lakefront setback and require site plan review for all lakefront and canal front construction. The City shall prohibit filling in lakefront and stream front wetlands and shall require a conditional use approval for any type of allowable construction in such areas. In addition, no encroachment, fill, or other new development shall be permitted in a floodway. Development of flood-prone areas shall be addressed on a site-by-site basis as part of the site plan review or conditional use process. The City shall coordinate with the State, the St. Johns River Water Management District, the East Central Florida Regional Planning Council, Orange County, state agencies, and other agencies concerned with managing natural resources. Such intergovernmental coordinating activities shall be directed toward protecting the values and functions of respective natural systems.</del>	
178	<del><b>Policy 1-3.96.1.3: Habitats of Flora and Fauna Having Special Status.</b> The habitat of rare, endangered, and threatened species of flora and fauna and others having special status as identified in the Conservation Element shall be protected.</del>	
179	<del><b>Policy 1-3.96.1.4: Mining Prohibited.</b> The City shall prohibit the excavation of natural resources (mining) within the City limits.</del>	
180	<del><b>Policy 1-3.96.1.5: Protect the City’s Cemeteries and Conservation Lands.</b> The City shall protect cemeteries and conservation lands from development.</del>	
181	<del><b>OBJECTIVE 1-3.106.2: SOIL AND TOPOGRAPHIC CONDITIONS/NATURAL ENVIRONMENT.</b> The City shall not issue a permit unless the applicant for development has demonstrated that the proposed land uses, including, but not limited to, density, intensity, design, and other characteristics of the development, are must be designed with appropriate consideration for soil and topographic conditions and the natural environment, including Comprehensive Plan objectives and Policies in the Chapter 5: Conservation Element.</del>	
182	<del><b>Policy 1-3.106.2.1: Coordinated Land Use Planning.</b> The City shall ensure that all proposed land development is located and designed with appropriate consideration for soil and topographic conditions. The City shall ensure that all new development is consistent with performance criteria governing resource conservation, public facilities, concurrency management, and level of service standards before a development order is issued.</del>	
183	<del><b>Policy 1-6.2.2: Characteristics of Development.</b> The City shall ensure that density, intensity, design, and other characteristics of the development, are consistent with the character of the surrounding area, can be accommodated on the site without adversely impacting natural features of the site or the surrounding environment, meet concurrency requirements, and are consistent with the Comprehensive Plan and Land Development Code.</del>	
184	<del><b>OBJECTIVE 1-6.3.11: PROTECT THE CITY’S TREE RESOURCES.</b> The City shall continue to protect its trees, including the bountiful oak tree canopy that provide a character distinguishing Winter Park from the majority of Florida’s other municipalities.</del>	
185	<del><b>Policy 1-3.11.1: Protect Trees.</b> The City shall continue to preserve its tree canopy by enforcing tree protection regulations. The City shall maintain and preserve the coverage of the tree canopy.</del> <b>Policy 1-6.3.1: Protect Trees.</b> The City shall promote the proliferation and preservation of trees throughout the City, minimize the removal of protected trees, and require compensation and replanting for the loss of protected trees in various stages of maturity on public and private property in order to preserve the quality of life in the City well into the future.	
186	<del><b>OBJECTIVE 1-3.12-6.4: PROTECTION OF ARCHAEOLOGICAL AND HISTORIC RESOURCES.</b> The City shall identify, document, protect, preserve, and enhance the cultural, historic, architectural, scenic and archaeological resources significant to the heritage and character of the City of Winter Park.</del>	
187	<del><b>Policy 1-3.126.4.1: Inclusion of Historic Resources on FLUM.</b> The FLUM series shall include a map illustrating the location of significant historic sites or tructures within the City. <i>[Note: The Historic Resources Map does not reveal the location of archaeological sites due to their sensitivity to abuse.]</i></del>	
188	<del><b>Policy 1-3.12.2: Discovery of Artifacts during Construction.</b> The City shall ensure the cessation of land disturbing activities any time artifacts with potential historical significance are revealed during construction activities on any site. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. The cessation may be lifted upon such determination. Normally, determination will be made by those approved to make such determination by the Office of the Secretary of State, Division of Historical Resources.</del>	
189	<del><b>Policy 1-3.12.3: Continue Surveying, Recording and Interpreting Historical, Architectural, Scenic, Cultural and Archaeological Resources.</b> The City shall continue the process of surveying, recording and interpreting the cultural, historic, architectural, scenic and archaeological resources of Winter Park with a historic and archaeological resources inventory and Florida Master Site File update recommended every ten years.</del>	
190	<del><b>Policy 1-3.12.4: Activities to Protect and Promote Historical Resources.</b> The City shall evaluate and protect publicly owned historical resources within Winter Park and initiate designation of those resources as local historic landmarks or landmark districts, and as appropriate, nominate those resources to the National Register of Historic Places.</del>	



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191	<del>Policy 1-3.12.5</del> <b>Policy 1-6.4.2: Encourage Designation of Local Historic Resources and Establishment of Historic Districts.</b> The City shall encourage the designation of local historic resources, and the establishment of historic districts that protect historic resources and their settings. <del>Within one year of adoption of this Comprehensive Plan, the Historic Preservation Commission shall investigate and make a recommendation (complete with schedule and specific implementation milestones) to the City Commission regarding the designation of Park Avenue as a National Register and Local Historic District. through the Land Development Code regulations.</del>	
192	<del>Policy 1-3.12.6</del> <b>Provide Historic Preservation Incentives.</b> Provide local incentives, information and technical assistance for owners of designated historic resources which may include the waiver of fees relating to rehabilitation, accessory dwelling units as permitted uses through the Certificate of Review process and other appropriate incentives.	
193	<del>Policy 1-3.12.7: Use of Building Code to Assist the Rehabilitation and Restoration of Historic Buildings.</del> The City shall utilize the Building Code provisions which allow for the relaxation of certain building code standards for the restoration, rehabilitation and repair of historic buildings when such improvements and buildings do not jeopardize public safety as determined by the Building Official.	
194	<del>Policy 1-3.12.8: Use of Federal Rehabilitation Tax Credit to Rehabilitate Cultural, Historic and Architectural Resources.</del> The City shall encourage and support private efforts to rehabilitate eligible commercial and income producing cultural, historic, and architectural resources using the federal rehabilitation tax credit.	
195	<del>Policy 1-3.12.9: Require Evaluation of Cultural, Historic, Architectural, and Archaeological Resources in Decisions Regarding Demolition.</del> Integrate the evaluation of cultural, historic, architectural and archaeological resources into the decision making process for City sponsored alteration of demolition of buildings, structures and /or infrastructure.	
196	<b>Policy 1-3.12.10: Identification of Impacts on Historic Resources.</b> All public sector planning studies of neighborhoods, housing, transportation, drainage, storm water and utilities shall identify the presence of historic resources and consider the impact of any proposal on those resources.	
197	<del>Policy 1-3.12.11: Compatibility of New Public Improvements in Historic Districts.</del> When public improvements such as streetlights, signage, sidewalks, curbs and paving are scheduled for replacement in historic districts as identified in the historic resources survey, those replacements shall enhance and be compatible with the character of the district.	
198	<del>Policy 1-3.12.12</del> <b>Policy 1-6.4.3: Evaluation of Impacts of Rezoning and Redevelopment Applications on Historic Resources.</b> Evaluate the impact of rezoning and development applications on identified historic or archaeological resources on or in proximity to the property application, and seek timely discussion of issues threatening cultural, historic, archaeological and architectural resources in order for the Historic Preservation Commission to advocate a constructive solution.	
199	<del>Policy 1-3.12.13</del> <b>6.4.4: Land Use Decisions to Include Protective Measures to Preserve Significant Historical, Architectural, Scenic, Cultural and Archaeological Resources.</b> The City shall ensure that development and land use decisions assess and avoid the potential for adverse impacts to significant historical, architectural, scenic, cultural and archaeological resources. These resources shall be buffered from potential adverse impacts, thus insuring protection from the cumulative adverse impacts of surrounding development.	
200	<del>Policy 1-3.12.14</del> <b>6.4.5: Rehabilitation and Adaptive Reuse of Historic Buildings for Contemporary Uses.</b> The City shall encourage the rehabilitation and adaptive reuse of historic buildings if the buildings may no longer feasibly be used for their historic purposes.	
201	<b>GOAL 1-7: COLLABORATIVE PLANNING PROCESS.</b> The City will embrace a collaborative planning process that evaluates and monitors the Goals, Objectives and Policies outlined in this Plan and enhances the community.	
202	<del>Policy 1-3.12.15: City Participation in the Certified Local Government (CLG) Program.</del> The City shall participate in the Certified Local Government (CLG) program administered by the State of Florida by maintaining a preservation ordinance complying with state and federal requirements, filing required reports, participating in training workshops for staff and preservation boards, and applying for CLG grants to fund qualifying historic preservation projects.	
203	<del>Policy 1-3.12.16: Support Public Education Concerning the City’s Cultural, Architectural, Archeological and Historic Resources.</del> Maintain a partnership with the Winter Park Historical Association and Museum, Hannibal Square Heritage Center, Winter Park Public Library Archives, Rollins College Olin Library Archives other appropriate organizations to support public education, heritage tourism efforts and the preservation of information and documents about the cultural, architectural, archeological and historic resources of Winter Park.	
204	<b>OBJECTIVE 1-3.13: ANNEXATION.</b> The City shall carryout its Comprehensive Plan program for annexation of unincorporated enclaves as well as certain fringe areas adjacent to the City which have been an integral part of the Comprehensive Plan since its original adoption in 1976. <del>7.1</del> The program shall continue to be coordinated with Orange County and the adjacent municipalities of Orlando, Maitland, and Eatonville and shall continue to have as a principal objective the prevention of urban sprawl and disjointed urban service systems. The annexation policy of the City of Winter Park and the annexations of land by Winter Park shall be consistent with the following criteria: 1.Each annexation shall eliminate or partially eliminate an enclave, align municipal boundaries or establish a contiguous link with the City;  2.Each annexation shall include property adjacent to the City which will generate revenues in excess of the cost of providing services including reserves, or shall provide the City control over the quality and scale of future development necessary to foster enhanced appreciation in property values of adjacent city lands;	
205	<b>Policy 1-3.13.1: Actively Pursue the Annexation of Enclaves.</b> Winter Park shall actively pursue the annexation of enclaves as these additions provide economies and efficiencies in service delivery to both Orange County and the City of Winter Park.	



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206	<del><b>Policy 1-3.13.3: Criteria for Pursuing Annexation and Required Cost/Benefit Study.</b> Winter Park shall pursue the annexation of growth areas adjacent to the City limits when it would align municipal boundaries, unite sections of the City, or generate revenues in excess of the cost of providing services while providing City control over the quality and scale of development. An annexation cost benefit study shall be required for all annexations of growth areas through referendums.</del>	
207	<del><b>Policy 1-3.13.4: Intergovernmental Coordination with Orange County on Annexations.</b> Winter Park shall provide written notice to Orange County in advance of any annexation requests to be considered by the City Commission. The City shall coordinate all annexations and designations of annexation reserve areas with Orange County and adjacent municipalities of Orlando and Maitland, and Eatonville. The coordination with Orange County and municipalities adjacent to proposed annexation areas shall include coordinating land use and service delivery issues at an early stage in the annexation process as well as formal notice of all potential annexations consistent with state law.</del>	
208	<del><b>Policy 1-3.13.5: Annexation Reserve Areas.</b> As a first priority the City shall annex enclaves surrounded completely by the City. As a second priority the City shall annex contiguous unincorporated areas required to establish logical City boundary alignments that are defined by natural barriers, streets, or similar features and avoid service duplications. In addition, Winter Park will not establish different zoning or land use on annexed property without the notice to Orange County. The City of Winter Park has undertaken extensive coordination and shall continue such coordination with Orange County and the Cities of Orlando, Maitland and Eatonville regarding the City’s annexation program. As part of this ARA study, the City of Winter Park has analyzed its ability to provide the full range of its municipal services to these areas. Altogether, the annexation of these five areas will add 322 acres to the City of Winter Park. The annexation of the four areas (excluding Home Acres) is estimated to increase Winter Park's population by 1,676 persons based on current land uses. The City has and shall continue to achieve the consent of Orange County prior to annexing the five unincorporated Annexation Reserve Areas (ARAs) identified below:</del>  <del><b>1. Annexation Reserve Area #1: Home Acres.</b> ARA #1 is a growth annexation area comprised of 47± acres, is located in the northwest section of the City, located west of Orlando Avenue (US 17 92) between Monroe Avenue on the north and Lee Road on the south. Its name is derived from the name of the principal subdivision within the area which was platted in 1926. This is a logical ARA since it is surrounded on three sides by the City of Winter Park and on the north by the City of Maitland. Maitland’s Comprehensive Plan does not anticipate any annexations within this area.</del>  <del>The dominant Orange County Future Land Use Map designation is Low Density to the west, Office to the north, Office and Low Medium Density to the east, with Commercial abutting Lee Road to the southeast and Office abutting Lee Road to the southwest. This neighborhood has many infrastructure deficiencies such as limited sanitary sewer, undersized water lines, lack of street drainage and rural street sections.</del>  <del>The City of Winter Park’s interest in annexing this area would be only when it is coincident with that redevelopment. Until such time as a comprehensive redevelopment program is undertaken, the City’s annexation efforts in this neighborhood shall be limited to individual out parcels coincident with a redevelopment project.</del>  <del><b>Lake Killarney.</b> ARA # 2 is a growth annexation area comprised of 198 acres, is located north of Fairbanks Avenue and is bounded by Lake Killarney on the north. The area contains approximately 1,282The City undertook an annexation referendum in May 2003. It was not approved by the residents. Under state law there is a two year waiting period for any further annexation attempts. The City intends to implement the sanitary sewer and streetscape improvement program for the Fairbanks Avenue Corridor before the City undertakes another annexation referendum for this neighborhood. Individual property owners have slowly been voluntarily annexing property into the City.</del>  <del><b>3. Annexation Reserve Area #3: Kentucky/Oglesby.</b> ARA # 3 is a growth annexation area comprised of 13± acres and accommodating approximately 42The area south of Fairbanks Avenue is designated Commercial on the Orange County Future Land Use Map, and Low Density Residential south of the Commercial designation to Oglesby Avenue. The commercial area contains uses ranging in intensity from office to auto paint and body to light manufacturing. The area to the south west contains primarily single family dwellings.</del>  <del><b>4. Annexation Reserve Area #4: Lawndale.</b> ARA # 4 is a growth annexation area containing 50± acres and approximately 308On the Orange County Future Land Use Map the properties south of Minnesota Avenue are predominately designated Low Medium Density Residential and the area contains primarily single family dwelling units with some duplex units. The properties north of Minnesota Avenue are designated Commercial and include a mixture of uses from car repair, paint and auto body shops to light manufacturing land uses.</del>	
209	<del><b>5. ——— Annexation Reserve Area #5: Stonehurst.</b> ARA # 5 is an enclave comprised of 14.6 acres and containing approximately 44 persons located in 22 —</del> <del><b>OBJECTIVE FL 1-3.14: SCHOOL FACILITIES.</b> The City of Winter Park shall coordinate public school facility needs with the Orange County Public School Board (OCPSB) , and to locate any future school sites near urban residential areas and, where feasible, to co-locate public facilities, such as parks, libraries and community centers with schools.</del>	
210	<del><b>Policy 1-3.14.1: Provision of School Sites.</b> The Orange County Public School Board has no plans for any additional school facilities within the City of Winter Park; however the City shall permit new schools in any future land use category and in any location deemed necessary by the OCPSB, and shall utilize the Inter-loeal Agreement for Public School Planning adopted October 13, 2003 to guide facility planning.</del>	

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211	<del><b>Policy 1-3.14.2: Maintain an Inventory of Vacant Sites.</b> The City shall maintain a Vacant Land Map to assist in identifying undeveloped parcels of property citywide.</del>	
212	<del><b>Policy 1-3.14.3: Intergovernmental Coordination.</b> The City shall coordinate with the Orange County Public School Board to maintain data identifying public school facilities, capacity and utilization, and shall utilize the Inter local Agreement for Public School Planning adopted October 13, 2003 for coordinating any future significant renovations or new schools.</del>	
213	<del><b>Policy 1-3.14.4: Maintain City Population Data to Assist Demographic and Student Population Analysis.</b> The City shall maintain City population data to assist the Orange County Public School Board in the projection of future population growth and community characteristics.</del>	Fco
214	<del><b>Policy 1-3.14.5: Implement a Public School Facilities Element.</b> In cooperation with Orange County and the Orange County Public School Board, the City has prepared a Public School Facilities Element for as required by the State and as incorporated into this Comprehensive Plan. All development shall adhere and abide by those adopted goals, objectives and policies.</del>	
215	<del><b>Policy 1-3.14.6: School Co-location and Joint Use.</b> The City will direct that any new or relocated schools located near parks or libraries, shall facilitate the joint use and site planning of facilities such as parks, libraries, and community centers with schools to the extent possible.</del>	
216	<del><b>OBJECTIVE 1-3.15: PROHIBITION OF NEW BILLBOARDS AND ELIMINATION OF EXISTING BILLBOARDS.</b> Continue to prohibit new billboards and develop incentives and programs to eliminate existing billboards.</del>	
217	<del><b>Policy 1-3.15.1Policy 1-3.15.2OBJECTIVE 1-3.16: PREVENT PROLIFERATION OF URBAN SPRAWL.</b> The City of Winter Park is virtually built out. The City has no urban sprawl and its design standards shall continue to foster the best management principles and practices of urban design which are the antithesis of urban sprawl. Nevertheless, the City shall continue to enforce the following policies to avoid urban sprawl:  1. Avoid premature or poorly planned conversion of developed or undeveloped land to strip patterns emanating from developed areas. 2. Prevent development of areas or uses that that are not functionally related to the predominant land uses on adjacent land. 3. Preclude development of areas or uses that fail to maximize the use of existing public facilities. 4. Avoid leapfrog/scattered development or ribbon /strip commercial development patterns. 5. 1. Require that development be consistent with criteria in Rule 9J-5.006(5), F.A.C.</del>	
218	<del><b>Policy 1-3.16Policy 1-3.16.2: Design of Public Facilities and Utilities.</b> Public facilities and utilities shall be located and designed to: 1. Maximize the efficiency of services provided. 2. Minimize adverse impacts on natural systems. 3. Minimize related costs. 4. Meet concurrency management system requirements.</del>	
219	<del><b>Policy 1-3.16.3: Developments Not Served by Public Water and/or Wastewater Systems.</b> All developments in areas not serviced by public water and/or wastewater systems shall be governed by applicable State laws and administrative regulations.</del>	
220	<del><b>Policy 1-3.16.4: Accommodating Requisite Infrastructure.</b> During the subdivision review, site plan review, and permitting processes, the City shall ensure that respective future developments allocate sufficient land area for infrastructure required to support proposed development.</del>	
221	<del><b>Policy 1-3.16.5: OBJECTIVE 1-3.17: PREVENT INCONSISTENT LAND USE.</b> The City shall continue to ensure that land uses, structures, and rezonings shall be consistent with the FLUM, and other applicable laws, ordinances, and administrative rules regulating land and water resource management.</del>	
222	<del><b>Policy 1-3.17.1: Managing Future Land Use.</b> The FLUM and related Policies together with the LDC shall be applied as a planning and management tool to prevent development of land uses which do not conform to the City's character as reflected in the City's adopted FLUM.</del>	
223	<del><b>OBJECTIVE 1-3.18: INTERGOVERNMENTAL COORDINATION.</b> The City shall continue to maintain and periodically update procedures to ensure efficient coordination of land and water management issues surrounding proposed development are carried out in a timely manner with all public entities having jurisdictional authority.</del>	
224	<del><b>Policy 1-3.18.1: Implementing Intergovernmental Coordination.</b> The City shall continue to require that development applications as appropriate be coordinated with relevant Orange County agencies, Orange County Public School Board, other special districts, the East Central Florida Regional Planning Council (ECFRPC), the St. Johns River Water Management District, as well as applicable State and Federal agencies prior to issuance of a development order or permit. The City shall coordinate with the ECFRPC in meeting regional policies contained in the Strategic Regional Policy Plan.</del>	
225	<del><b>OBJECTIVE 1-3.19: CONTINUING LAND USE PROGRAMS.</b> The City shall implement land use goals, objectives, and Policies by carrying out a continuing program of land use activities below cited.</del>	
226	<del><b>Policy 1-3.19.1: Land Use Information System.</b> Establish, maintain, and periodically update the land use information system, integration of the tax appraiser property files, Community Development Department field data, building permit files, engineering base maps, and all other relevant land use data files.</del>	
227	<del><b>Policy 1-3.19.2: Land Use Trends.</b> Monitor and evaluate population and land use trends.</del>	
228	<del><b>Policy 1-3.19.3: Fiscal Management.</b> Implement fiscal management policies of the capital improvement program and budget.</del>	

No.	Chapter 1 – Future Land Use	Comments
229	<del><b>Policy 1-3.19.4: Administer Land Use Controls.</b> Administer adopted land use controls, such as the land development code, including site plan review and subdivision regulations, building code, housing code, traffic regulations, and regulations governing streets and sidewalks.</del>	
230	<del><b>Policy 1-3.19.5: Public Assistance.</b> Provide continuing land use information and assistance to the public.</del>	
231	<del><b>Policy 1-3.19.6: Intergovernmental Coordination.</b> The City shall coordinate land development issues with other public agencies at all levels of government pursuant to the Intergovernmental Coordination Element of this Plan.</del>	
232	<del><b>Policy 1-3.19.7: Manage Current Developmental Impacts.</b> Evaluate and manage impacts of proposed development pursuant to existing ordinances, including, but not limited to, public facilities, natural environment, and impact on stable residential neighborhoods.</del>	
233	<del><b>Policy 1-3.19.8: Community Appearance.</b> Site plan review procedures shall be applied to enhance general community appearance as well as to preserve and enhance open space and landscape. This program shall assist in protecting major natural and manmade resources within the City, including such scenic natural resources as lakes, lake frontages, wetlands, and native habitat as well as developing residential neighborhoods and centers of commercial or institutional activity.</del>	
234	<del><b>Policy 1-3.19.9: Special Land Use Studies.</b> To maintain land use Policies responsive to changing conditions, problems, and issues, the City shall undertake special studies as needed to develop specific local strategies for resolving unanticipated land use problems and issues.</del>	
235	<del><b>OBJECTIVE 1-3.20</b></del> <b>OBJECTIVE 1-7.1: CONTINUING EVALUATION OF LAND USE ELEMENT EFFECTIVENESS.</b> The City shall use the following Policies as criteria in evaluating the effectiveness of the land use element. <u>The City shall collaborate with the community to ensure the land use element continues to enhance the community. The following Policies shall be used as criteria in evaluating the effectiveness of the land use element.</u>	Per P&Z Recommendation to reword objective
236	<del><b>Policy 1-3.207.1.1: Review the Impact of Change Indicators on Land Use Policy.</b></del> Trends in the magnitude, distribution, and characteristics of population and land use shall serve as indicators of possible changes in land use needs. The Policy implications of major trends in land use characteristics shall be evaluated on a continuing basis. Land use Codes shall be refined as needed in order to remain responsive to evolving problems and issues.	
237	<del><b>Policy 1-3.207.1.2: Schedule, Budget, and Implement Programmed Activities.</b></del> The timely scheduling, programming, budgeting and implementation of programmed land use activities identified in this Element shall be evidence of the City's effectiveness in carrying out a systematic program for implementing adopted land use goals, objectives and Policies.	
238	<del><b>Policy 1-3.207.1.3: Coordinate with Public and Private Sectors.</b></del> While continually implementing and evaluating the land use element, the City shall maintain a process of intergovernmental coordination. The effectiveness of this approach shall be evaluated by the success of coordination mechanisms in resolving land use problems and issues.	
239	<del><b>Policy 1-3.207.1.4: Achieve Effective Plan Implementation.</b></del> The effectiveness of the land use element shall be measured by the City's success in achieving land use goals, objectives, and Policies. The land use element incorporates a systematic planning process for identifying land use problems and issues and implementing corrective actions.	

The following chart relates to Chapter 1 – Future Land Use, and outlines the Goals, Objectives, and Policies of the Planning Areas sections of this Chapter. Space is provided to the right to add any comments/recommendations. Staff comments/changes to this element of the Comprehensive Plan are shown as black underlined text. Planning and Zoning Board comments are shown in red underlined text, Comp Plan Task Force comments are shown in green underline text, Economic Development Advisory Board comments are shown in turquoise underline text, Community Redevelopment Advisory Board comments are shown in brown underlined text and Transportation Advisory Board comments are shown in purple underline text.

No.	Chapter 1 – Future Land Use	Comments
1	<b>GOAL 1-8. PRESERVE THE CHARACTER OF THE WINTER PARK’S NEIGHBORHOODS, THE CBD, AND FOSTER PLANNED REDEVELOPMENT INITIATIVES.</b>	
2	<b>OBJECTIVE 1-8.1: PRESERVE THE INTEGRITY AND CHARACTER OF PLANNING AREAS.</b> Land use decisions and development approvals shall be guided by the policies delineated within the planning areas mapped and identified as Planning Areas A through <u>M</u> . The following Future Land Use policies are unique to specific planning areas within the City of Winter Park. Future Land Use <u>Planning Area Maps</u> that depicts the boundaries and future land use pattern within each of the respective Planning Areas are also presented. The City-wide Goals, Objectives and Policies of the Future Land Use Element apply to the Planning Areas. The supplementary objectives and policies for each planning area provide additional <u>mandatory regulation</u> on future zoning or land use issues.  The Planning Areas are as follows:  PLANNING AREA A            Temple/Howell Branch Planning Area PLANNING AREA B            Osceola/Lakeview Planning Area PLANNING AREA C            Winter Park Hospital Planning Area PLANNING AREA D            Waterbridge/Brookshire Planning Area PLANNING AREA E            Glenridge/Lake Sue Planning Area PLANNING AREA F            Mead Garden, Virginia Heights & College Quarter PLANNING AREA G            Downtown/Rollins College Planning Area PLANNING AREA H            Hannibal Square Neighborhood Planning Area PLANNING AREA I            North Park Avenue Planning Area PLANNING AREA J            U. S. Highway 17-92 Corridor Planning Area PLANNING AREA K            Lee Road Planning Area PLANNING AREA L            West Fairbanks Avenue Planning Area <u>PLANNING AREA M            Ravaudage Planning Area</u>	Adding a planning area for the Ravaudage project annexed since 2009.
3	<b>Planning Area A: Temple/Howell Branch</b>	
4	<b>Policy 1-A-1: Preserve Single-Family Residential Land Use.</b> The City shall preserve the single-family residential land use in the Temple/Howell Branch planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
5	<b>Policy 1-A-2: Expansions of the YMCA.</b> Any further expansion of the YMCA involving changes in future land use designations for an <u>expanded site shall be deemed to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this planning area section.</u>	Provides consistency with the approved YMCA Development Agreement
6	<b>Policy 1-A-3: Preserve Public Park and Recreational Land Uses while Expanding Wetlands Acquisition.</b> The City shall preserve the public park and recreational land uses in this planning area and shall ensure any off-site impacts from these uses are minimized. The City shall strive to expand ownership of the wetlands <u>and conservation lands</u> on the north area of this planning area near Howell Creek and south of Lake Waumpi.	Clarifies the application.
7	<b>Policy 1-A-4: Comprehensive Plan Amendments from Residential to Office/Professional to Preserve Existing Homes and Restrict Height to One-Story.</b> Comprehensive Plan amendments from Residential to Office/Professional on the south side of Howell Branch Road from the New Life Evangelical Church (1720 Howell Branch Road) east to the Seminole County line shall only be considered in context of newly constructed one-story office buildings and not the conversion of existing homes.	

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8	<b>Policy 1-A-5: Prohibited Uses Along the Gateway Corridor of Howell Branch Road.</b> The City shall prohibit new or used car sales, auto repair businesses, resale stores or pawn shops, tattoo businesses, <u>vapor lounges and smoke shops</u> , service/gas stations, fast food businesses and additional convenience stores in the commercial areas located on Howell Branch Road, as this portion of Howell Branch Road is a gateway into the City of Winter Park.	Adds other non-desirable businesses.
9	<b>Policy 1-A-6: Continue to Acquire, Preserve and Expand Recreational Trails and Greenway, Especially along Water Frontage.</b> The City shall strive to preserve and expand the number and extent of recreational trails and greenways in this portion of the City to provide public access and enjoyment especially of the stream and waterfront environments along the City’s Howell Creek properties.	
10	<b><u>Policy 1-A-7: Alabama Hotel.</u></b> Any renovations or expansions to the Alabama Condominium or Temple House shall maintain the historic architectural character of those buildings.	Implements the 1980 PURD commitments.
11	<b>Planning Area B: Osceola/Lakeview</b>	
12	<b>Policy 1-B-1: Preserve Single-Family Homes.</b> The City shall preserve single-family residential land use in the Osceola/Lakeview planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this Comprehensive Plan.</u> If the Genius Preserve property is proposed for additional development the city shall observe policies B-2 through B-10 as follows:	Makes the policy direction more understandable.
13	<b>Policy 1-B-2: Retaining Natural Features and Open Space.</b> Preserve the natural characteristics of the Genius Preserve property by requiring at least fifteen (15%) of the total land area be devoted to public or private park and open space exclusive of land included within lots or roads and the preservation of the natural features of the site. The City shall strive to acquire locations that have a connection to Winter Park history.	
14	<b>Policy 1-B-3: Requiring Public Roads.</b> Require all new roads to be <u>dedicated to the</u> public including the existing sections of the private portion of Genius Drive south of Henkel Circle within Windsong, which is required to be dedicated as a public street if additional development utilizes that roadway.	Clarification.
15	<b>Policy 1-B-4: Preserving Windsong Lakefront Large Lots.</b> Lot sizes shall conform to the minimum standards of the lakefront lots within Windsong which average 1.5 acres in size with minimum 150 foot frontages on the lake and streets.	
16	<b>Policy 1-B-5: Park Dedication.</b> Any required dedications of park land or open space coincident with the Genius property development shall target sensitive natural areas.	
17	<b>Policy 1-B-6: Achieving Public Access to Lakes.</b> Any required dedication of park land or open space coincident with the Genius property development shall provide for physical and visual public access to one or more of the lakes. Public access shall not be construed to include boat docks/ boat ramps.	
18	<b>Policy 1-B-7: Maintain Existing Public Access and Public Uses.</b> The City shall not relinquish its public access rights and public usage of the Northshore Park (north shore of Lake Berry) within Windsong.	
19	<b>Policy 1-B-8: Location of Storm Water Retention Facilities to Avoid Significant Environmentally Sensitive Areas.</b> The creation of required storm water retention facilities shall not be located in areas of significant environmental importance.	
20	<b>Policy 1-B-9: Genius Road Network.</b> The road network created as part of the Genius property platting and development shall utilize some of the roadway stubs leading to the property, unless traffic safety problems are created or new traffic cut through routes would be created.	
21	<b>Policy 1-B-10: Genius Roadway Design to Prevent Cut Through Traffic.</b> Roadway links between the southern and northern sections of the Genius property shall be precluded so as to avoid a cut through traffic route from Glenridge Way to Mizell Avenue or Phelps Avenue.	

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22	<b>Policy 1-B-11: Aloma and Lakemont Intersection Comprehensive Plan Amendments and Development to Preserve Adjacent Residential Uses.</b> In order to promote redevelopment and improve the image at the Aloma and Lakemont gateway intersection, the City shall allow: <ul style="list-style-type: none"> <li>Comprehensive plan amendments from Single-Family Residential to Office/Professional of the properties on the south side of Aloma Avenue at 1810 and 1820 Aloma Avenue, but only together as one new one-story office building with masonry wall screening adjacent to residential neighbors, and not as the conversion of the existing homes to offices.</li> </ul>	
23	<b>Policy 1-B-12: Lakemont Elementary School Improvements to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements, rebuilding or expansions to the buildings and grounds of Lakemont Elementary School shall conform to Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.	
24	<b>Policy 1-B-13: Preserve Mid-Block Demarcation Separating Lakemont and Harris Avenues and Prohibit Encroachment of Offices into Residential Area.</b> The City shall preserve the mid-block demarcation between Lakemont and Harris Avenues to prohibit office encroachment into the residential area <u>and shall deem land use changes from single family residential to low or medium density residential or a non-residential to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this planning area section.</u>	Makes the policy direction more understandable.
25	<b>Policy 1-B-14: Maintain Residential Zoning in Certain Areas along Edwin Boulevard and Lakemont Avenue.</b> Comprehensive plan amendments from residential to office/professional or commercial shall be deemed to be in conflict with the Comprehensive Plan <u>north of the mid-block line between Edwin Boulevard and Aloma Avenue and north</u> along Lakemont Avenue or on properties fronting on Edwin Boulevard.	Per P&Z recommendation to make the policy clearer.
26	<b>Planning Area C: Winter Park Hospital</b>	
27	<b><u>Policy 1-C-1: Preserve Single-Family Residential Land Use.</u></b> The City shall <u>preserve the single-family residential land use in the Temple/Howell Branch planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	New policy direction to protect single family zoned portions of this planning area similar to policies included in other planning areas.
28	<b>Policy 1-C-2: Encourage High Technology and Medical Arts Professions.</b> The City shall encourage high technology and medical arts professions. This includes increasing the density on the hospital campus and adjoining properties involving <u>a new</u> future land use designation <u>including</u> the creation of a medical/high technology <u>zoning</u> district.	Clarification
29	<b><u>Policy 1-C-3: Medical Arts District.</u></b> The geographic area of properties encompassing the Winter Park Hospital, the Winter Park Health Foundation <u>and associated medical offices shall be deemed an overlay district within the existing office future land use category. In order to encourage further development of these medical arts campuses, such properties are then to be governed as to density by the permitted floor area ratio which shall be a maximum of 100% and shall include the floor area of above grade, attached and unattached garages. This overlay designation shall also differ from others in the Comprehensive Plan and Land Development Code in that floor area ratio may be spread across a hospital/medical center or wellness campus in common ownership (and thus across public streets) provided that the average floor area ratio across the hospital/medical center or wellness campus shall not exceed the maximum of 100%, not including the land area of any public streets.</u>	New policy to implement the general future land use policy outline for the new Medical Arts future land use category.
30	<del><b>Policy 1-4.1.C.3: Promote a New Brookshire Elementary School at Cady Way Park and Creation of Compensating Parkland.</b></del> The City shall <del>explore a partnership with the Orange County Public School Board that may allow the construction of a new Brookshire Elementary school</del>	Brookshire already rebuilt and partnership was explored during the design phase.
31	<b>Policy 1-C-4: Continue Shared Use of Showalter Field/Cady Way Park Area.</b> The City shall continue its partnership with the Orange County Public School Board <u>and Rollins College</u> for the shared use of Showalter Field/Cady Way Park area.	Update
32	<b>Policy 1-C-5: Intergovernmental Coordination to Enhance Cady Way Bike Trail and Related Facilities.</b> The City shall continue working with Orange County, <u>the City of Orlando and Seminole County</u> to enhance the Cady Way Bike Trail and its facilities.	Clarification



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33	<b>Policy 1-C-6: Preserve Residential Demarcation Line West of Lakemont Avenue and Prohibit Office Encroachment Westward into Residential Areas.</b> The City shall preserve the residential demarcation line west of Lakemont Avenue and prohibit further office encroachment into the westward residential areas <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in this Comprehensive Plan.</u>	Makes the policy direction more understandable.
34	<b>Policy 1-C-7: Hospital Expansion to Provide Adequate Parking and Mitigate Off-Site Traffic Impacts.</b> Further expansion of the hospital shall provide adequate parking for their employees and visitors in conformance with the City’s Land Use Development Code and shall ensure that off-site traffic impacts are mitigated.	
35	<b>Policy 1-C-8: Prohibited Land Uses within Aloma Avenue Gateway to Winter Park.</b> The City shall prohibit automobile sales and service <u>or repair</u> businesses, The City shall prohibit new or used car sales, auto repair businesses, resale stores or pawn shops, tattoo businesses, <u>vapor lounges</u> and smoke shops, in the commercial areas of the Winter Park Hospital Planning Area, as this portion of Aloma Avenue is a gateway into the City of Winter Park.	
36	<del><b>Policy 1-4.1.C.8: Future Land Use Changes East of Hospital.</b> The City shall consider changes in the future land use to the residential/office area east of the hospital. By 2010, the City shall conduct a neighborhood study for the area east of the Winter Park Hospital to determine changes that are advisable.</del>	This study was already completed by the P&Z Board.
37	<b>Policy 1-C-9: Land Use Consistency East of Hospital.</b> <u>Notwithstanding the future land use text elsewhere in this element, for the office future land use category and for future land use and zoning compatibility; that within the land area to the east of the Winter Park Hospital bounded by Glenwood Drive, St. Andrews Boulevard, Loch Lomond Drive and Strathy Lane, the office future land use category shall also be deemed consistent with single family residential (R-1A) development and low density residential (R-2) development.</u>	Provides the ability for low density townhouse and single family home redevelopment that is otherwise in conflict with the office future land use designation.
38	<b>Policy 1-C-10: Land Use Consistency on Loch Lomond Drive, East of Hospital.</b> <u>Notwithstanding the future land use text elsewhere in this element, for the office future land use category and for future land use and zoning compatibility; that within the land area to the east of the Winter Park Hospital that fronts on Loch Lomond Drive across from Cady Way Park, the office future land use category shall only be deemed consistent with single family residential (R-1A) development and while subdivision variances may be approved to allow smaller lots for future redevelopment, that redevelopment shall only be of single family homes.</u>	Provides the ability for single family home redevelopment that is otherwise in conflict with the office future land use designation.
39	<b>Planning Area D: Waterbridge/Brookshire</b>	
40	<b>Policy 1-D-1: Preserve Existing Single-Family Residential Land Use in Waterbridge/Brookshire Planning Area.</b> The City shall preserve single-family residential land use in the developed areas of the Waterbridge/Brookshire planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
41	<b>Policy 1-D-2: Winter Park High School and Brookshire Elementary School Improvements to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements or expansions to the buildings and grounds of Winter Park High School or Brookshire Elementary School shall conform to Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.	
42	<b>Policy 1-D-3: Preserve Recreational Land Use of Winter Pines Golf Course.</b> The City shall preserve the recreational land use <u>and open space and recreation future land use designation</u> of the Winter Pines Golf Course.	Clarifies the Comp. Plan FLU relationship.

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43	<b>Policy 1-D-4: Winter Pines Golf Club Expansion to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Expansion of the Winter Pines Golf Club services and property <u>may be permitted as long as such expansions and improvements do not negatively impact the surrounding residential areas. Platted and developed in 1971-1977 via the Golfside plats and Greenview at Winter Pines plat, the development of this former marsh and wetland area has been deemed to have been granted the maximum density allowable via the golf course and surrounding residential homes, given the previous status as an environmentally sensitive site. Thus the full development potential of the area has been achieved and any subsequent sale of the golf course since the original platting does not bestow the allowance for any added development rights onto that gold course property other than that permitted by the open space and recreation future land use and parks and recreation zoning designation.</u>	Clarifies the 197-1977 agreements as to the future land use in the area.
44	<del><b>Policy 1-4.1.D.5: Monitor biological and environmental conditions at Lake Baldwin Park.</b> The City shall annually monitor and assess the biological and environmental condition of Lake Baldwin Park adjacent to Lake Baldwin due to the “dog park” element and shall manage its future based on those findings.</del>	Not appropriate as a land use policy.
45	<b>Planning Area E: Glenridge/Lake Sue</b>	
46	<b>Policy 1-E-1: Preserve Existing Single-Family Residential Land Use in Glenridge/Lake Sue Planning Area.</b> The City shall preserve single-family residential land use in the Glenridge/Lake Sue planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
47	<b>Policy 1-E-2: Protect Wetlands.</b> The City shall continue to implement and enforce regulations protecting the wetlands areas in this study area from development.	
48	<b>Policy 1-E-3: Promote Annexation of Stonehurst Drive Enclave.</b> The City shall strive to annex the Stonehurst Drive enclave to form a continuous area of government service and control.	
49	<b>Policy 1-E-4: Intergovernmental Coordination to Achieve Landscape Buffers to Protect Residential Property, Improve Corridor Aesthetics, and Address Overflow Parking Conditions at Blue Jacket Park.</b> The City will work with the City of Orlando and the neighborhoods adjacent to General Rees Boulevard to create an attractive wall and landscape buffer to ensure privacy and safeguard residential property values while improving the aesthetics of the corridor and providing opportunities for on street parking as over flow to the recreation events at Blue Jacket Park.	
50	<b>Policy 1-E-5: Maintain Roadblock on Virginia Drive.</b> The roadblock on Virginia Drive shall be maintained as it prohibits cut-through traffic in the Timberlane Shores neighborhood.	
51	<b>Planning Area F: Mead Garden, Virginia Heights and College Quarter</b>	
52	<b>Policy 1-F-1: Preserve and Protect Residential Land Use along Denning Drive and Prevent Encroachment by Office and Commercial Uses.</b> The City shall preserve and protect the residential land use along Denning Drive in this Planning Area from office and commercial encroachment. In furtherance of this policy, the City shall not rezone the existing residential properties on Denning Drive to office or any other non-residential zoning and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
53	<b>Policy 1-F-2: Preserve Recreational Use of Lake Midget Park and Harper Shepherd Field.</b> The City shall preserve the recreational land use of Lake Midget Park and Harper Shepherd Field.	
54	<b>Policy 1-F-3: Prohibit Certain Business Types in Mead Garden Planning Area in Order to Preserve the Character of the Orange Avenue and Fairbanks Avenue Gateways to Winter Park.</b> The City shall prohibit certain business types within this Mead Garden Planning Area <u>along Orange Avenue and Fairbanks Avenue</u> including new or used car sales, <u>new</u> auto repair businesses, <u>vapor stores and smoke shops</u> , resale stores or pawn shops, tattoo businesses, adult oriented businesses, fast food businesses and convenience stores, as this portion of Orange Avenue and Fairbanks Avenue are <u>gateways is a gateway</u> into the downtown and central business district of the City of Winter Park.	Clarifications

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55	<b>Policy 1-F-4: Support Restoration of Mead Botanical Garden.</b> The City shall encourage the restoration of Mead Botanical Garden.	
56	<b>Policy 1-F-5: Growth and Expansion of the Lutheran Church Consistent with Master Plan.</b> Growth and expansion of the <u>St. John Lutheran Church</u> (located in Planning Area J) shall <u>only be approved via conditional use</u> consistent with protections and landscape buffers for this institutional use <u>and provided that any negative impacts from parking or traffic are avoided and that adequate buffering and screening of such activities and improvements are achieved.</u>	Implements the agreements made with the Church and neighborhood.
57	<b>Policy 1-F-6: Preserve Division of Low-Density Residential and Single-Family Residential between <u>Maryland Holt</u> and <u>Antonette Fairbanks Avenues</u>.</b> The City shall preserve the division line between low-density residential and single-family residential between <u>Maryland Holt</u> and <u>Antonette Fairbanks Avenues</u> , <u>thereby maintaining single family residential land use along Antonette Avenue.</u>	Clarification
58	<b>Policy 1-F-7: Implement Wetlands Protection.</b> The City shall continue to implement and enforce regulations protecting the wetlands from development.	
59	<b>Policy 1-F-8: Winter Park Ninth Grade Center Improvements to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements or expansions to the buildings and grounds of the Winter Park Ninth Grade Center shall conform to Winter Park Comprehensive Plan and land development regulations and standards and shall not negatively impact the surrounding residential areas. The historic high school buildings shall be preserved and incorporated into any campus improvement or expansion.	
60	<b>Policy 1-F-9: Encourage Preservation of Historic High School Buildings For Appropriate Adaptive Reuse with Public-Quasi Public Land Use(s).</b> <u>When and if</u> the Orange County Public School Board decides to sell <del>or redevelop</del> the Winter Park Ninth Grade Center, the City shall protect the historic high school buildings for an appropriate adaptive reuse.	Clarification
61	<b>Policy 1-F-10: Specific Land Uses for Future Redevelopment of Non-Historic Campus Areas.</b> If the Orange County Public School Board decides to sell the Winter Park Ninth Grade Center, the City's appropriate land use for the non-historic campus areas shall be low-density residential for the property fronting Pennsylvania Avenue, single-family residential for property fronting Huntington and Clarendon Avenues, and parks and recreation for a playing field area of at least five (5) acres.	
62	<b>Policy 1-F-11: Redevelopment of Winter Park Ninth Grade Center to Be Consistent with Adopted Master Plan for Entire Property and Compatible with Historic District.</b> The development of the Winter Park Ninth Grade Center land shall be consistent with an adopted master plan for the entire property, and shall be compatible with the historic district.	
63	<b>Policy 1-F-12: Restrictions on Redevelopment of the Commercial "Ahik's" Property at the Northeast Corner of the Pennsylvania/Holt Avenues Intersection.</b> Redevelopment of the commercial "Ahik's" property at 501 Holt Avenue at the northeast corner of the intersection of Pennsylvania and Holt Avenues shall be sensitive to traffic generated onto Holt Avenue. The scale and height of buildings fronting on Holt Avenue shall be limited to 2 stories (30 feet) in height as a compatible transition from the adjacent areas designated Low-Density Residential” on the Future Land Use Map. In addition, the redevelopment of the property shall be compatible with the adjacent historic district.	
64	<b>Policy 1-F-13: Redevelopment of the Commercial “Ahik’s” Property to Be Concentrated along Railroad and Fairbanks Avenue Frontages while Maintaining Natural Features of the Site.</b> Notwithstanding the heights and densities permitted or conditionally permitted under the existing commercial land use designations, the commercial redevelopment of the commercial “Ahik’s” property (as mentioned above) at 501 Holt Avenue, shall be concentrated along the railroad and Fairbanks Avenue frontages while maintaining the natural features of the site, <u>unless an alternative site plan and building layout, not exceeding two stories (30 feet) in height provides a more enhanced visual and sound buffer protections for the adjacent residential properties.</u>	Option for redevelopment while maintaining neighborhood protection.
65	<b>Policy 1-F-14: Restriction on Development Fronting on Holt Avenue.</b> Expansions of commercial or office developments or the parking of vehicles on properties fronting on Holt Avenue shall be prohibited. Access driveways from commercial or office development on Fairbanks Avenue onto Holt Avenue shall be prohibited.	

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66	<b>Policy 1-F-15: Restriction on Building Stories to Preserve Neighborhood Character.</b> The area bounded by Minnesota, Pennsylvania, Melrose and Azalea Lane, zoned R-3 is deemed incompatible for three story buildings given the existing predominant character of one and two story buildings. While the density and intensity permitted by the medium density residential future land use designation and R-3 zoning of this area is compatible, future development shall be limited and restricted within this area to no more than two stories. The same restriction shall apply to the R-3 areas that exist between Orlando Avenue and Orange Avenue.	CRAB made a motion to change the Maximum Height Map and add another policy to allow the south side of Fairbanks within this planning area from the Railroad tracks to Denning Drive to be allowed up to 4 stories in height. Specifically to allow for redevelopment of the RV lot.
67	<b>Policy 1-F-16: Protect Wetlands.</b> The City shall continue to implement and enforce regulations protecting the wetlands areas from development.	
68	<b><u>Policy 1-F-17: Orange Avenue Design Guidelines.</u></b> The City shall consider design guidelines for the Orange Avenue corridor from Orlando Avenue to Fairbanks Avenue in order to protect and maintain the scale and appearance of this gateway corridor.	New direction for quality redevelopment.
69	<b><u>Policy 1-F-18: Preserve Existing Single-Family Residential Land Use in the Planning Area.</u></b> The City shall preserve single-family residential land use in the planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
70	<b>Planning Area G: Downtown/Rollins College</b>	
71	<del><b>Objective 1-4.1.G: Preservation of Winter Park’s “Village Atmosphere,” Quality of Life, and Appropriate Density and Height.</b> To provide residential development within overall densities and heights appropriate to ensure the preservation of Winter Park’s “village atmosphere” and the preservation of our existing quality of life and to encourage a stable customer base in support of our premier retail shopping district.</del>	Removed the Objective as this section only contains policies.
72	<b>Policy 1-G-1: Preserve Residential Use in Downtown/Rollins Planning Area and Mixed Use Shall Not Qualify as Residential Use.</b> The City shall ensure that residential land uses are preserved within the Downtown/Rollins Planning Area. Mixed Use buildings on land currently designated as residential shall not qualify as satisfying this policy. <u>Thus, the intent of this Policy is to maintain the residential future land use and zoning in this planning area where it currently exists and to deny requests for changes to the future land use and zoning that would change from residential designations to non-residential designations.</u>	Makes the policy direction more understandable.
73	<b>Policy 1-G-2: Preserve Central Park Primarily Passive Park Character and Avoid Commercialization of the Park.</b> The City shall implement policies on the use of Central Park that preserve its primary passive park character, avoid commercialization by user groups and are generally guided by the Central Park Master Plan.	
74	<b>Policy 1-G-3: Preserve Park Avenue as a Retail Shopping District with Complimentary Restaurant Destinations, Maintaining Existing Future Land Use Map Designations and Zoning and Prohibition of Bars/Nightclubs.</b> The City shall preserve the primary focus of the Park Avenue Corridor as a retail shopping district with complimentary restaurant destinations. This shall require maintaining within the Park Avenue corridor the existing Future Land Use Map policies governing height and existing vertical zoning regulations and the prohibition on bars/nightclubs. <u>The City should also explore modifications to the zoning regulations that would limit the growth of future new restaurant locations to prevent an oversaturation of the CBD with restaurant space thereby diminishing via the loss of existing retail stores, the primary focus of the CBD as a retail shopping destination.</u>	New direction to preserve character of the Park Avenue area.  CRAB had a consensus that they did not want to prevent ‘over saturation of restaurants’ if the market drives the abundance of restaurants to Park Avenue. Also that Winter Park is more than just a retail or restaurant district and this policy needed to be changed to reflect the other uses (i.e. corporate offices).
75	<b>Policy 1-G-4: Preservation of the Historic Character of Park Avenue and the Open Vista of Central Park.</b> All properties facing Central Park on Park Avenue or adjacent roads within 140 feet of Park Avenue shall be limited in height to two stories in height (30 feet). All properties that abut Central Park or are located across from the park where development would impact the open vista of Central Park shall also be limited to two stories in height (30 feet) as depicted on the Maximum Height Map. Variances or approvals of development in violation of this policy are prohibited.	Clarification
76	<b>Policy 1-G-5: Preserve Central Business District Pedestrian Scale and Orientation by Restricting Height.</b> The City shall preserve the pedestrian scale and orientation of the Central Business District as a whole by limiting development to no more than three stories (including any mezzanine levels) in all zoning districts within the Central Business District. Variances for more than three stories are prohibited. Exceptions to this policy include any property within the Central Business District that <u>are is</u> limited to two stories by other Comprehensive Plan policies or the Maximum Height Map <u>as those properties have a two story height limit.</u>	Clarification  CRAB had discussions on where to increase the maximum height throughout the CBD to three stories in lieu of the two story height limit in certain areas.

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77	<b>Policy 1-G-6: Preserving the Eclectic Architectural Mix and Dominance of Small Distinctive Specialty Shops along the Park Avenue Corridor through Central Business District Design Guidelines.</b> The City shall strive to preserve the character and style of the Park Avenue Corridor as one of an eclectic architectural mix and a predominance of small distinctive specialty stores through the Central Business District design guidelines. The City shall explore alternatives for incentivizing the preservation of small distinctive specialty shops.	
78	<b>Policy 1-G-7: Enforce Land Development Code Parking Requirements.</b> The City shall continue to require parking, as directed by the Land Development Code, for any <u>net</u> new building or <u>net</u> new floor space constructed within the CBD.	Clarification
79	<b>Policy 1-G-8: Managing Existing Off-Street Parking Deficit.</b> The City's effort toward expanded public parking shall prioritize actions and programs needed to address the existing parking deficit as opposed to the provision of parking that would provide for a growth in the size of existing or new buildings or in the size of the Central Business District or provide parking for mass transit needs.	
80	<b>Policy 1-G-10: Design Review of Building and Storefront Facades, Including Signage, within CBD.</b> Design review or architectural review in the City's land development regulations shall include a provision for building and storefront facade review, including signage, in the CBD.	
81	<b>Policy 1-G-11: Improvements at Rollins College and other Educational, Non-Profit or Other Institutional Entities to Avoid Adverse Impacts on Surrounding Residential Areas.</b> Improvements or expansions to the buildings and facilities of Rollins College and other educational, non-profit or other institutional entities shall conform to existing Comprehensive Plan policies, including but not limited to the Future Land Use Map as well as Winter Park zoning regulations and standards and shall not negatively impact the surrounding residential areas.	
82	<b>Policy 1-G-12: Managing Expansion and Physical Improvements at Rollins College and Other Educational, Non-Profit or Other Institutional Entities.</b> The City shall endeavor to accommodate, through conditional use reviews, the physical development building needs and campus expansion requirements through land use changes to an “Institutional” Future Land Use designation and a “Public/Quasi-Public” zoning district classification for Rollins College and other educational, non-profit or other institutional entities as long as those projects are directly related to the educational purposes of serving students and/or staff as long as those projects are compatible with adjacent residential neighborhoods and properties.	
83	<b>Policy 1-G-13: Joint Public-Private Development on City Land or City Rights-of-Way to Comply with LDC and Replace all Lost Parking Spaces.</b> Any joint public-private development project on City land or City rights-of-way shall replace the same number of on-site public parking spaces as well as providing the additional spaces required by the private segment of the development.	
84	<b>Policy 1-G-14: Preservation of Osceola Lodge (231 North Interlachen Avenue) and Knowles Cottage (232 North Knowles Avenue).</b> Methods for preservation of Osceola Lodge (231 North Interlachen Avenue) and/or the Knowles Cottage (232 North Knowles Avenue) shall be encouraged, including changes to land use designations to permit non-residential usage as foundation office space or other appropriate use when designations as historic landmarks are provided.	
85	<b>Policy 1-G-15: Development Restriction in CBD/Rollins College Planning Area along North Side of Osceola Avenue on Lake Osceola.</b> Future subdivisions or parcel development in the CBD/Rollins College Planning Area along the north side of Osceola Avenue on Lake Osceola shall conform to the Single-Family Future Land Use designation and the R-1AAA zoning district standards, <u>as well as policies within this Comprehensive Plan regarding the subdivision of estate lots.</u>	Clarification
86	<b>Policy 1-G-16: Promote CBD Cultural Institutions.</b> The City shall endeavor to promote the cultural institutions existing within the CBD and seek to expand their contributions to Winter Park as the “City of Culture and Heritage”.	
87	<b>Policy 1-G-17: Maintain Pedestrian Scale Gateway to Park Avenue.</b> To insure compatibility of future developments with the predominate one and two story pedestrian scale of the historic Park Avenue Corridor, buildings greater than two stories shall be prohibited on properties abutting Fairbanks between New York Avenue on the west and Interlachen Avenue on the east. These properties are deemed in-appropriate for three stories due to the potential scale of the developments and their adverse impact on the gateway to historic Park Avenue.	

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88	<b><u>Policy 1-G-18: Maintaining the Character of Interlachen Avenue.</u></b> The City shall strongly discourage any change to the future land use and zoning from low density residential to medium or high density residential on the properties on the west side of Interlachen Avenue, now designated as low density residential and future development along Interlachen Avenue shall conform to a minimum 25 foot street front setback along Interlachen Avenue for buildings and structures that is consistent with the existing pattern of development.	Policy to maintain the existing streetscape development pattern along Interlachen Avenue.
89	<b><u>Policy 1-G-19: Maintaining the Single Family Land Use Designations on Lake Osceola.</u></b> Consistent with other policies of this Comprehensive Plan requiring the lowest densities of development on lakefront properties, those lands designated single family on Lake Osceola on Interlachen Avenue, Alexander Place, Chase Avenue, Osceola Avenue and Osceola Court shall not be designed for low density or multi-family residential development or for any non-residential or institutional land use and the City shall deem any such land use changes to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.  <u>Provides development guidance for the streets indicated.</u>	Reference for other adopted policies.
90	<b><u>Policy 1-G-20: Bed &amp; Breakfast/Hotel Conversions.</u></b> On properties designated residential with this planning area, conversions of existing homes or new construction of bed and breakfast inns or other overnight accommodations shall not be permitted within this planning area.	Reference for other adopted policies.
91	<b><u>Policy 1-G-21: Redevelopment of the City’s Water Plant Property on New York Avenue.</u></b> The City’s former water plant property on New York Avenue, designated ‘institutional’ due to the former use and city ownership will be considered for redevelopment as an office or multi-family residential or combination within the limits of permitted floor area ratio for those designations and a maximum three story height.	Policy direction.
92	<b>Planning Area H: Hannibal Square Neighborhood</b>	
93	<b><u>Policy 1-H-1: Discourage Non-Residential Encroachments into Residential Sections.</u></b> The City shall discourage non-residential and <u>medium or high-density residential future land use amendments encroachments</u> into single family and low density residential areas of this neighborhood planning area and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.	Makes the policy direction more understandable.
94	<b><u>Policy 1-H-2: If Where Non-Residential Zonings Are Approved, Compensation Required for Lost Housing.</u></b> In situations where a change to non-residential Comprehensive Plan Amendment is approved, <u>in this planning area</u> , the loss of housing or housing potential must be compensated for through the provision of housing or negotiated fees in lieu of housing, paid to the Affordable and <u>Workforce</u> Housing Trust Fund.	Workforce housing addition.
95	<b><u>Policy 1-H-3: Restrictions on Multifamily Development.</u></b> The City shall strongly discourage Comprehensive Plan Amendments from Single Family or Low-Density Residential Land Use categories to Medium-Density or High-Density Residential Land Use categories based on compatibility and recognition of the established neighborhood development pattern.	
96	<b><u>Policy 1-H-4: Subsidized Multifamily Housing for Senior or Handicapped Citizens.</u></b> The City shall encourage subsidized multifamily housing for senior or handicapped citizens in projects sponsored by, or which complement those of the Winter Park Housing Authority.	
97	<b><u>Policy 1-H-5: Prohibited Uses.</u></b> The City shall prohibit the establishment or expansion of auto sales/service enterprises, auto repair businesses, resale stores or pawn shops, tattoo businesses, adult-oriented businesses, <u>vapor stores or smoke shops</u> , fast food businesses and convenience stores along Fairbanks Avenue <u>in this planning area</u> .	Includes other non-desirable businesses.
98	<b><u>Policy 1-H-6: Protect the Residential Character of Certain Segments of Lyman Avenue and Carolina Avenue by Prohibiting Non-residential or Mix-Use Development and Related Accessory Uses.</u></b> The City shall protect the existing residential character of Lyman Avenue between Hannibal Square East and New York Avenue and on Carolina Avenue by prohibiting the use of properties fronting on these streets in whole or in part for non-residential development, or for parking or for storm water retention for adjacent commercial or office development.	



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99	<b>Policy 1-H-7: Non-Residential Use on Certain Segments of New England Avenue and Symonds Avenue.</b> Non-residential land uses and zoning on New England Avenue between Denning Drive and Pennsylvania Avenue and on Symonds Avenue between Capen Avenue and Pennsylvania Avenues shall be deemed to be in conflict with the Comprehensive Plan.	
100	<b>Policy 1-H-8: Commercial, Office, or Non-residential Development on the East Side of Denning Drive or Webster Avenue.</b> The conversion or redevelopment of any existing residential property fronting on the east side of Denning Drive or on Webster Avenue for commercial, office or other non-residential development shall be deemed to be in conflict with the Comprehensive Plan.	
101	<b>Policy 1-H-9: Non-Profit Service Agencies and Local Neighborhood Churches May Exist Compatibly with Residential Uses.</b> The City may consider the construction or renovation of non-profit service agencies and local neighborhood church construction and renovation in recognition that neighborhood churches co-exist side by side with residential properties and commonly have depended upon on-street parking for those congregations.	
102	<b>Policy 1-H-10: Rezoning Single-Family Property to ≤ 7,500 sq. ft. Lots Deemed Inconsistent with Comprehensive Plan.</b> The rezoning of any single-family property of 50 foot by 150 foot (7,500 sq. ft.) or smaller to low-density (R-2) residential <u>future land use</u> for additional density shall be deemed in conflict with the Comprehensive Plan (single-family to duplex, for example).	Clarification
103	<b>Policy 1-H-11: Density for Workforce/Affordable Housing.</b> Notwithstanding other policies of this Comprehensive Plan, the City may approve density increases for projects of the Hannibal Square Land Trust, Habitat for Humanity, the Winter Park Housing Authority <u>or others</u> when such projects exclusively include workforce/affordable housing.	Clarification
104	<b>Policy 1-H-12: Provide for Additional Residential Density at 444 W. New England Avenue.</b> Notwithstanding the residential density limits established for the Central Business District future land use category elsewhere within this element, this specific policy shall enable the property at 444 W. New England Avenue, to be used at a maximum residential density of up to 48 units per acre. This density allowance may only be applied to residential use within the existing second floor of the existing building as of the date of adoption of this Policy. Residential units are not permitted on the ground floor of the building located at 444 W. New England Avenue.	
105	<b><u>Policy 1-H-13: Provide for Conforming Density of Mixed Use Projects along New England Avenue.</u></b> To the extent that mixed use projects were permitted and approved by the City under Central Business District future land use and C-2 zoning prior to a unit per acre density restriction being introduced to those designations in 2009, such existing mixed use projects in existence prior to 2009, notwithstanding the current CBD future land use residential unit density limitations, shall be deemed as conforming uses and should such buildings be damaged or destroyed due to any calamity or occurrence such as fire, hurricane, tornado, sinkhole, etc. such buildings may be reconstructed and restored to their existing residential unit density and dimensions.	Provides for the redevelopment of non-conforming uses if damages due to acts of God.
106	<b><u>Policy 1-H-14: Special Circumstances for 446 W. Swoope and on Symonds between Capen and Pennsylvania Avenues.</u></b> Notwithstanding Policy 1-H-1 above, there exists an isolated property at 446 W. Swoope Avenue surrounded by medium density residential future land use that may be considered for a change to that designation and single family properties on Symonds Avenue between Capen and Pennsylvania Avenue in a street section otherwise designated as low density residential that may be permitted a similar future land use.	Exception necessary given the enclave location.
107	<b><u>Policy 1-H-15: Special Circumstances for the North Side of West Lyman Avenue between New York and Hannibal Square, West Capen and Pennsylvania Avenues.</u></b> Notwithstanding Policy 1-H-1 above, there exists low density residential future land use and development along a portion of West Lyman Avenue. Continuance of that scale, type and size of development and changes to low density residential future land use, only, may be permitted on the north side of West Lyman Avenue between New York Avenue and Hannibal Square, East.	Provides policy direction.
108	<b><u>Policy 1-H-16: Encourage the Viability of the Hannibal Square Commercial District along New England Avenue.</u></b> In order to encourage and insure the viability of the Hannibal Square Commercial District, the existing buildings and any other future buildings with street frontage on New England Avenue shall be required to be used for non-residential business purposes on the first floor and utilized as such for retail space, restaurants space, salons or office space and residential use shall be only permitted on the upper floors of any such building, other than an entrance lobby for access to the upper floor units.	Provides for policy direction to link the Park Avenue and Hannibal Square business districts.

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109	<b><u>Policy 1-H-17: Hannibal Square Parking Garage:</u></b> In consideration of the variances granted for the Hannibal Square parking garage for added height and additional spaces which were made based upon the Development Agreement and assurances that this parking garage would serve certain designated properties but also serve others not in the same ownership and serve the general business district needs as well, the parking management of this parking garage shall not permit any fee for parking and the City shall through the required parking management plan insure that reserved spaces other than for residents are available on nights and weekends for general public usage.	Policy implements the Development Agreement provisions for the parking garage.
110	<b>Planning Area I: North Park Avenue</b>	
111	<b>Policy 1-I-1: Preserve Single-Family Residential Use in North Park Avenue Planning Area.</b> The City shall preserve the single-family residential land use in the planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
112	<b>Policy 1-I-2: Protect Residential Areas on North Park and Louisiana Avenues from Encroachment by Nonresidential Uses.</b> The City shall protect the residential areas around the offices on North Park Avenue and Louisiana Avenues from further office encroachment <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
113	<b>Policy 1-I-3: Subdivision of Land to Comply with the Comprehensive Plan and Zoning District Minimum Lot Size Requirement.</b> <u>The City shall prohibit subdivision of lots within the North Park Avenue neighborhood planning area to new lots with less than the required 75 foot width (85 foot width - corner lots).</u>	Clarification
114	<b>Policy 1-I-4: Develop Gateway Enhancement Plan for North Park Avenue.</b> The City shall develop a Gateway enhancement plan for the North Park Avenue entrance into the City.	
115	<b>Planning Area J: U. S. Highway 17-92 Corridor</b>	
116	<b>Policy 1-J-1: Protect Single-Family Residential Use within Orwin Manor Neighborhood from <u>Multi-Family and Non-Residential Land Use Encroachment.</u></b> The City shall preserve and protect the single-family residential land use within the Orwin Manor neighborhood from <u>multi-family, commercial and office encroachment and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
117	<b>Policy 1-J-2: Annexation of Areas between City Limits and Minnesota Avenue.</b> The City shall pursue annexation of areas between the City limits and Clay Street and Minnesota Avenue when resident citizen interest is <u>expressed</u> <del>ripe</del> .	Correction
118	<b>Policy 1-J-3: Protect Low-Density Residential Use West of Schultz Avenue within Lawndale, Strongly Discourage Non-Residential Encroachment and Maintain the Low-Density Future Land Use Map Designation.</b> The City shall preserve and protect the low-density residential land use west of Schultz Avenue, within Lawndale, in this planning area, from commercial and office encroachment. The Future Land Use Map shall maintain the Low-Density Residential designation and FLU map amendments to non-residential or Planned Development shall be deemed to be in conflict with the Comprehensive Plan within 200 feet of Shultz Avenue.	
119	<b>Policy 1-J-4: Pursue Improved Appearance of Industrial Area Along Solana Avenue and Railroad Avenue.</b> The City shall promote the appearance of the industrial area located along Solana Avenue and Railroad Avenue through code enforcement and site plan review design standards.	
120	<del><b>Policy 1-4.1.J.4: Preserve Multifamily Residential Use South of the Center of Winter Park.</b></del> The City shall preserve the multifamily residential land use in the area located south of the Center of Winter Park.	The Whole Foods shopping center and Webster School surrounding these five isolated residential properties makes that area a candidate for non-residential redevelopment.

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121	<b>Policy 1-J-5: Protect Interests of Multifamily Residents Located Behind Winter Park Tech.</b> The City shall protect the interests of the residents of the multifamily area located behind Winter Park Tech if development or rezoning appears imminent. In addition, non-residential development occurring adjacent to residentially designated property shall be required to provide adequate buffers including architecturally designed masonry walls capped and appropriately landscaped with canopy tress, specimen trees, and shrubs.	
122	<b>Policy 1-J-6: Concentrate Vehicle Dealerships North of Webster Avenue or Lee Road.</b> The policies of this Comprehensive Plan restrict car sales businesses to two geographic areas where such businesses are permitted. One such area where vehicle sales business are potentially allowed as conditional uses is in this planning area north of Webster Avenue or north of Lee Road.	
123	<b>Policy 1-J-7: Preserve <u>Martin Luther King Jr</u> Park Recreational Land Use.</b> The City shall preserve the recreational land use of <u>Martin Luther King Jr</u> Park.	Update
124	<b>Policy 1-J-8: Subdivision of Lots within Orwin Manor Neighborhood to Comply with Zoning District Minimum Lot Width Requirements.</b> The City shall prohibit subdivision of lots within the Orwin Manor neighborhood to lots with less than the required 75 foot width (85 foot width - corner lots).	
125	<b>Policy 1-J-9: Protect Single-Family Residential Use in the Killarney Neighborhood from Non-Residential Land Use Encroachment.</b> The City shall preserve and protect the single-family residential land use within the Killarney neighborhood from commercial and office encroachment, excluding parcels that have or obtain Parking Lot (PL) zoning designation along the edges where commercial, office and residential meet. All development should include appropriate landscape buffers, including walls if necessary, so as not to have a negative impact on the residential neighborhood.	
126	<b>Policy 1-J-10: Support a Smooth Land Use Transition along Trovillion Avenue and Gay Road to Low-Intensity Office Uses Compatible with Killarney Bay and Chateaux du Lac Condominiums.</b> The City shall support transition along Trovillion Avenue and Gay Road from Medium-Density Residential to low-intensity office uses as long as they are complimentary to and compatible with the adjacent Killarney Bay and Chateaux du Lac condominiums. The City shall ensure compatible development by enforcing architectural design standards as part of the site plan review process and require adequate buffers including architecturally designed capped masonry walls landscaped with canopy trees, specimen trees, and shrubs.	
127	<del><b>Policy 1-4.1.J.10: Prohibit Redevelopment of the Former Florida Gas Building to Include a Parking Garage.</b> The City shall prohibit the redevelopment of the former Florida Gas Building property at 1560 Orange Avenue to include a parking garage. The residential nature of this area is not conducive to a development intensity where parking structures are permitted.</del>	The Policy prohibiting parking garages within 100 feet of residential disqualifies this site as a candidate for parking garage related development.
128	<b>Policy 1-J-11: Encourage a Public-Private Partnership in Redeveloping Winter Park Tech.</b> The City shall encourage a joint public-private proposal for Winter Park Tech. The City shall coordinate joint planning with the Orange County School Board to identify a project that includes a viable land use mix, as well as density and intensity that meets the common objectives of the School Board, the City and the private developer.	

No.	Chapter 1 – Future Land Use	Comments
129	<p><b>Policy 1-J-12: Provide for Additional Residential Density at 940 and 1020 W. Canton Avenue.</b> Notwithstanding the residential density limits established elsewhere within this element, this specific policy shall enable the adjacent properties at 940 and 1020 W. Canton Ave (together, the “Properties”), to be used at a combined maximum residential density of up to 25 units per acre for the following reasons:</p> <ul style="list-style-type: none"> <li>• The Properties are part of a mixed-use master plan development;</li> <li>• The Properties are under unified control;</li> <li>• The Properties are located adjacent to a property approved for a building over 55 feet in height;</li> <li>• The Properties serve as an appropriate buffer between adjacent commercial uses and residential uses located further to the east;</li> <li>• The Properties are located proximate to multiple employment centers; and</li> <li>• The 940 W. Canton Avenue parcel has been previously approved for a four (4) story multi-family residential project under the density and maximum height standards that were applicable to the changes made to the Comprehensive Plan in 2009; due to the Properties being part of a unified mixed-use development under common control, the 1020 W. Canton Avenue parcel was included in calculating the density for this project.</li> <li>• This density allowance for both properties may only be applied to residential development within the 940 W. Canton Avenue parcel. All other provisions within the High Density Residential future land use designation shall apply to that property.</li> </ul>	
130	<b><u>Policy 1-J-13: Growth and Expansion of the Lutheran Church Consistent with Master Plan.</u></b> (Policy repeat from Planning Area F) <u>Growth and expansion of the St. John Lutheran Church (located in Planning Area J) shall only be approved via conditional use consistent with protections and landscape buffers for this institutional use and provided that any negative impacts from parking or traffic are avoided and that adequate buffering and screening of such activities and improvements are achieved.</u>	Implements policy agreement with the Church and neighborhood.
131	<del><b>Policy 1-4.1.J.13: Consider Proposals to Redevelop the Center Of Winter Park (K-Mart) Parking Fields.</b> The City shall consider proposals for redevelopment within the parking fields of the Center of Winter Park if such redevelopment proposals contain significant public benefits, including affordable/ workforce housing, relatively high estimated tax yield, open space, and park amenities.</del>	K-Mart Center redevelopment plans have been approved.
132	<b><u>Policy 1-J-14: Support a Smooth Land Use Transition along the North Side of Fairbanks Avenue with Business Uses Compatible with the Adjacent Neighborhoods.</u></b> The City shall consider future land use changes along the north side of Fairbanks from Shoreview Avenue to Orlando Avenue to commercial to allow business types complimentary to and compatible with the adjacent neighborhoods, such as retail stores and salons provided there are restrictions prohibiting late evening hours, and drive-in components. The City shall ensure compatible development by enforcing architectural design standards as part of the site plan review process and require adequate buffers including architecturally designed capped masonry walls landscaped with canopy trees, specimen trees, and shrubs.	Provides consistency of zoning along W. Fairbanks.
133	<b><u>Policy 1-J-15: Height Map on the West Side of Denning Drive.</u></b> Based on current development patterns, the City will permit four stories along the west side of Denning Drive from Fairbanks Avenue to the northern property line of the OCPS site.	Implements new height map.
134	<b>Planning Area K: Lee Road</b>	
135	<b>Policy 1-K-1: Preserve Single-Family Residential Use in Lee Road Planning Area.</b> The City shall preserve the single-family residential land use in the existing single-family neighborhoods in this planning area <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan. However, in order to enable the redevelopment along the Lee Road corridor, if properties fronting on Lee Road desire to redevelop or expand via utilizing an interior residential property as expanded parking via a land use change to a Parking Lot (PL) designation then the City may consider such a change provided adequate buffering and protections are provided to the neighboring homes.</u>	Makes the policy direction more understandable.
136	<b>Policy 1-K-2: Plan to Convert the City’s Tree Farm into a Park Site and Encourage its Funding.</b> The City shall plan to convert the City’s Tree Farm into a park site. <del>By 2012,</del> The City shall strive to provide funding to implement the land conversion process, including development of the park site.	

No.	Chapter 1 – Future Land Use	Comments
137	<b>Policy 1-K-3: Require New Development to Minimize Adverse Impacts on Lake Bell.</b> The City shall strive to minimize the adverse impacts of development on Lake Bell by regulating the intensity of development, storm water runoff, and enforcing setbacks.	
138	<b>Policy 1-K-4: Prohibit Certain Business Types along the Corridor Frontage.</b> In order to create and preserve the character of this corridor, the City shall prohibit certain business types along the frontage of the corridor including new or used car sales, auto repair businesses, resale stores or pawn shops, tattoo businesses, adult oriented businesses, fast food businesses and convenience stores, <u>except at the intersection of Lee and Wymore Roads.</u>	Clarification
139	<b>Policy 1-K-5: Create a Special Taxing District along Lee Road to Assist Funding Installation of Water and Sewer Services and Streetscape Improvements.</b> The City shall strive to create a special taxing district along Lee Road to aid in the installation of water and sewer services and/or streetscape improvements along this corridor.	
140	<b>Policy 1-K-6: Concentrate Vehicle Dealerships North of Lee Road.</b> The policies of this Comprehensive Plan restrict car sales businesses to two geographic areas where such businesses are permitted. One such area where vehicle sales businesses are potentially allowed as a conditional use in this planning area on Wymore Road, between I-4 and Wymore Road north of Lee Road.	
141	<b>Planning Area L: West Fairbanks Avenue</b>	
142	<b>Policy 1-L-1: Protect the Lake Killarney Residential Neighborhood from Commercial, Office And Parking Lot Encroachments.</b> The City shall preserve and protect the existing Lake Killarney residential neighborhood from commercial, office and parking lot encroachments <u>and shall deem land use changes from single family residential to low or medium density residential or to a non-residential designation to be in conflict with this Comprehensive Plan policy and shall not be permitted unless otherwise provided for in the Comprehensive Plan.</u>	Makes the policy direction more understandable.
143	<b>Policy 1-L-2: Annexation, Rezoning, and Redevelopment of Certain Residential Properties in the Lake Killarney Neighborhood.</b> At such time annexation occurs, the City shall consider amending the Future Land Use Map to allow non-residential use and redevelopment of the residential properties abutting commercial or office properties that front on the north side of Fairbanks Avenue in the Lake Killarney neighborhood from Kilshore Lane west to Interstate 4 subject to compliance for special setback and design standards to ensure compatible development and to enhance the appearance of the Fairbanks Gateway corridor.	
144	<b>Policy 1-L-3: Protections for the Lake Killarney Neighborhood.</b> The City shall utilize the conditional use process and the land development code <u>regulations to provide protections for the residential neighborhood north of Fairbanks Avenue from any nuisances generated by fast food and drive-in businesses as well as convenience stores in order to minimize any nuisances from noise, over-flow parking, off-site parking of employees or cut-through traffic. Such protections may include limitations on the hours of operation of stores or restaurants and such restrictions on hours of operations may be imposed retro-actively if deemed necessary to safeguard the peaceful residential use of neighboring homes.</u>	Implements consistency in the treatment of Conditional Uses.
145	<b>Policy 1-L-4: Annexation, Rezoning, and Redevelopment of Certain Residential Properties South of Fairbanks Avenue.</b> At such time that annexation occurs, the City shall encourage and permit amending <u>the future land use map</u> and redeveloping the <u>isolated pockets of</u> residential properties located along Kentucky and Ogelsby Avenues, south of Fairbanks Avenue from US Highway 17-92 to Interstate 4 to ensure compatible development and to enhance the appearance of the Fairbanks gateway corridor.	Clarification
146	<b><u>Policy 1-L-5: Annexation, Rezoning, and Redevelopment of Certain Properties, South of Fairbanks Avenue and West of Formosa Avenue.</u></b> <u>At such time that annexation occurs, the City shall encourage and permit amending the future land use map and redeveloping these properties that exist in this area south of Fairbanks Avenue and west of Formosa Avenue along Fairbanks, Kentucky, Ogelsby and Crandon Avenue to urban mixed use densities that would permit either mixed use development or mixed use projects with urban scale of up to eight stories in height, with parking garage components and notwithstanding other limitations within the Future Land Use element, permitted floor area ratios of up to 250% based upon the establishment of commercial or high density residential future land use designations as this density and scale of development is deemed compatible given the location on Fairbanks Avenue adjacent to Interstate 4 and to enhance the appearance of the Fairbanks gateway corridor. Roadway abandonments or vacations necessary for this assemblage are also encouraged.</u>	Implements the Comp. Plan policies