

**CITY OF WINTER PARK
CITY COMMISSION WORK SESSION MINUTES
AUGUST 9, 2007**

The meeting of the Winter Park City Commission was called to order by Mayor David Strong at 1:05 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

Members present:

Mayor David Strong
Commissioner John Eckbert
Commissioner Douglas Metcalf
Commissioner Margie Bridges
Commissioner Karen Diebel

Also present:

City Manager James Williams
City Clerk Cynthia Bonham

1. Comprehensive Plan discussion

Planning Director Briggs opened the meeting by summarizing what they would be covering. Peter Gottfried, Canin Associates, provided a notebook to each Commissioner containing many documents and introduced Sheryl Bower of Canin. Mr. Briggs summarized the changes made in the comprehensive plan because of the ORC Report from the State. He stated the document is now in the correct format.

Ms. Bower provided a written list consisting of their suggestions for changes to the comprehensive plan Future Land Use Element. She summarized the policies they believed needed to be clarified or changed. The summary as provided by Canin is attached as part of these minutes. After conclusion, Mr. Briggs stated they will work on concerns in time for Monday's meeting.

Mr. Gottfried, via a power point presentation, displayed several buildings around town and their Floor Area Ratio (FAR) with and without garages, land area, the building area and the number of stories in each building which showed how the buildings look on the property. He addressed issues he believed the Commission needed to review. Discussion ensued on each of the pictures shown.

Mr. Briggs stated they have a list that they will go over containing the hot topics they need to discuss. He spoke about the beginnings of a process for the formed based code that hopefully will bring them to a consensus of what is appropriate in the City. He stated the process will bring about changes to the comprehensive plan. He said many of these are placeholders for the moment because they need to have numbers in the comp plan and they have to define maximum density, units per acre, intensity, square footage, floor area ratio and to settle on the baseline for now. Mr. Briggs provided the list of the comprehensive plan issues that needed decisions made on. These are listed as part of the power point presentation and are included in these minutes. The issues that staff and Canin believed were the main issues included: to maintain the CBD FAR per transmittal (200% not counting parking garages – same as 1991 plan), agree to limit (100% residential) use of commercial/office properties, height map flexibility, and to agree to a mixed use zoning alternative. Mr. Briggs stated they can also discuss any

other items the Commission has that are not listed above. Each Commissioner provided their perspective and what they wanted to see regarding the issues needing a decision.

Edward Erfurt, Canin Associates Senior Planner, elaborated on issues being discussed. He stated this comp plan needs to be pushed through and then make additional changes with the next amendments. Mayor Strong spoke about wanting to enhance what the City already has but is not interested in transforming its character. Mr. Erfurt addressed the need to preserve the current character of the City. There was discussion as to the importance of certain businesses in the City and their appropriate location.

Commissioner Eckbert spoke about being in favor of height and FAR flexibility in exchange for setback and green space allowances. Mayor Strong spoke about their need to provide the DCA with numbers. Upon discussion, Mr. Briggs spoke about what he believed was a consensus to allow an additional story for now until the formed based code, case-by-case basis, architecture, open space, etc. but adding more of an incentive with the floor area ratio.

Commissioner Metcalf addressed the need to add flexibility now in the plan. Mayor Strong commented he had no objection to providing liberalization in stories, FAR or anything else, but he did not want it to be perceived as an entitlement. Commissioner Eckbert provided FAR numbers he believed would work but not precluded in the Central Business District (CBD). Mr. Briggs stated they are going to define locations and can limit locations due to compatibility with adjacency and character.

Planning Director Briggs addressed receiving direction on mixed use numbers and what kind of flexibility they will have on mixed use city wide. Mayor Strong commented that he did not like the term mixed use because they are talking about more intensive use and whether it is mixed or not is irrelevant to him. Mr. Briggs explained that zoning parameters do not necessarily have to be mixed but it is extra intensity zoning but they will figure out the proper name.

Mr. Briggs explained about the first floor as offices or commercial and the upper floors as residential condominiums which would diversify our tax base as both residential and business. Mayor Strong, Commissioner Bridges and Commissioner Metcalf felt that it was important to have this on the first floor. Mayor Strong felt that the corridor should be commercial. He stated that residential could not be on a corridor that is an office and/or retail zoning on the ground floor with the exception of a limited percentage. Mr. Briggs addressed the need to be an exemption process with the frontage to be defined (25%).

Mr. Briggs spoke about maintaining the CBD FAR per transmittal (200% not counting parking garages) which was the standard in the 1991 comprehensive plan. He explained this is an issue because P&Z asked to count the parking garages but staff and Canin's recommendation was to keep it as is. He defined the CBD area and explained the CBD zoning and future land use areas. He reiterated that this has been the standard since 1991 and will continue to allow people to follow this style of development but cannot happen if the Commission changes it to what the P&Z is requesting. Mr. Briggs responded to questions asked by the Commission. Mayor Strong commented that you cannot build on any site 200% FAR and provide adequate parking and he would be reluctant to accommodate a lower parking standard in downtown Winter Park. Mr. Briggs said they were not addressing parking standards in the comprehensive plan and

will be discussed another day. There was further discussion on the 200% FAR and parking.

Mr. Briggs asked the Commission if they had anything further to add to the comprehensive plan or to discuss on this matter. Commissioner Metcalf commented they need to discuss the institutional, non-profit entities and in particular Rollins since they have purchased Panera Bread and the surrounding land. He wanted to discuss an application that limits the non-profits from sprawling. Mr. Briggs commented it appears that the Commission's interest is similar to what they did with Winter Park Hospital; they want their uses restricted to an approved Master Plan which is a reasonable alternative. Further comments were made by other Commissioners regarding possible provisions and policies. Commissioner Eckbert suggested a phrase that states they will consider being accommodating of their growth as long as it is revenue neutral to the City.

City Attorney Cheek gave a disclaimer that his firm represents Rollins College. He commented that tax exemption is statutory and this has a different level of rules. He explained this would typically be dealt with through land use and they can restrict what can be done with the property. Attorney Cheek answered questions.

Commissioner Diebel asked about the super majority within the comp plan. Mr. Briggs explained that historically the super majority has been required with four votes from the City Commission anytime there is a request to change the zoning or the comprehensive plan and it is denied by P&Z. She addressed being concerned with the section addressing the character and viability and inserting a super majority extraordinary vote. Mr. Briggs explained this language will be deleted per the Commission's direction.

Mayor Strong commented if the Planning and Zoning Commission has a unanimous feeling about an issue, the Commission should take serious note of that especially since the P&Z board has three architects. Commissioner Eckbert agreed with Mayor Strong but stated they have overall responsibility for the City and P&Z's responsibility is focused on what their charge is. He stated he would not like to see the super majorities considered in the comprehensive plan because it is the Commission's responsibility and they are accountable.

Commissioner Bridges was not in agreement and pointed out that the P&Z is a Commission and its work is specifically defined in our Land Development Code. She explained that their function and purpose is to evaluate the comprehensive plan annually and look at development as it relates to the comprehensive plan. She believed they should be extremely respectful of all of our boards but especially with the P&Z because their responsibilities are clearly outlined and they are the experts in the issues that face the Commission continuously. She thought the super majority was appropriate.

Commissioner Metcalf spoke about his preference of addressing work force housing rather than affordable housing. He explained that he would like to see the working middle class such as nurses, police and firefighters living in complexes that would benefit a number of neighborhoods. He stated they need to subsidize a program that provides workforce housing for people that we need and want to encourage living in Winter Park. Commissioner Metcalf suggested including this in the comprehensive plan where it describes what they are trying to accomplish and focus on workforce housing instead. Commissioner Eckbert stated it should say workforce/affordable and allocate it

at the 15% level. Mayor Strong suggested they address this with the CRA. Commissioner Metcalf suggested they address it among the community and encourage this issue.

Planning Director Briggs asked for clarity on the super majority issue. He explained that super majority is already in the comprehensive plan and asked if the Commission wanted it in there or if they wanted to change it. Commissioner Eckbert stated he wanted it removed; Commissioner Bridges wanted it to stay in the comprehensive plan. Mr. Briggs explained that it is not in this particular comprehensive plan book but there is an adopting ordinance that says if the P&Z votes against a future comprehensive plan amendment, it needs four votes. Mr. Briggs explained they can remove all in the plan with the one exception of the environmental protection stream front wetland. They reviewed the places where super majority was located in the policy.

Commissioner Bridges expressed concern over phrases that were in the updated version which should have been deleted. Mr. Briggs stated he would look at that. Commissioner Metcalf asked Mr. Briggs to send him the electronic version of what was sent last fall and the updated document to understand what they have accomplished.

2. Deputy Police Chief Bill McEachnie announced the Winter Park Police Department placed second in the State for the Department of Transportation Law Enforcement Challenge. He stated they won a 2007 unmarked Ford Mustang that will be used for aggressive driving enforcement.

3. Mayor Strong commented that the CRA has been scheduled for August 13 at 2:00 however; Commissioners Eckbert and Diebel will not be in attendance. He stated if they have any issues they need to communicate that to City Manager Jim Williams.

4. Commissioner Bridges asked if there were any policies regarding 360 cameras on private buildings directed toward the street and the rear of parking lot areas and if we had access to those cameras if a crime was committed. Deputy Chief McEachnie explained that private businesses have been doing this for years and have been very cooperative with the police when a crime has occurred. He stated that those tapes are their property and they cannot demand them but they could subpoena them if necessary. City Manager Williams addressed the security cameras on City facilities such as the water plants and the Public Safety area.

5. Commissioner Metcalf asked about red light runners and if anything has changed at the legislators regarding this policy issue. City Attorney Cheek stated he was not aware of any changes and they cannot enforce this against their license. Deputy Chief McEachnie explained that the State did not approve a statute that would authorize the use of red light cameras for enforcement.

The meeting adjourned at 4:58 p.m.



Cynthia S. Bonham, City Clerk

August 9, 2007

Mayor David Strong
City of Winter Park
401 Park Avenue South
Winter Park, FL 32789

Re: Canin Associates Review of the Proposed Changes to the Winter Park Comprehensive Plan
Future Land Use Element
CA Job No. 206088.10

Dear Mayor Strong,

Canin Associates is pleased to provide you and the Commission with our summary recommendations on the above referenced Comprehensive Plan Future Land Use element for the City. In addition to reviewing the City's response to the Department of Community Affairs' Objection, Recommendations and Comments Report we have also reviewed the proposed additional policies for guiding development in the City and have provided our comments as needed:

1. Generally, the revisions to the Future Land Use Element have provided for a more understandable document and it appears that staff has for the most part addressed the Department of Community Affairs concerns. However, staff may want to consider expanding its ORC response to include the revised policy statements addressing DCA's concerns. It has been our experience that the less work DCA has to do to determine the sufficiency of the response the better. Also, many of the policies are not action driven in that they do not provide a specific action with a completion date. The City may want to consider adding action language and deadlines. The following are comments on specific concern raised by the DCA.

DCA General Objective 1. Meaningful and predictable Policies. Several policies allow for local decisions to contradict or to render decisions inconsistent with the comprehensive plan without providing meaningful standard, including Policy 1-2.11 which provides that the City Commission may approve high densities than otherwise allowed pursuant to the Future Land Use Map.

Canin Comment:

There are a few policies that allow the City Commission to approve development that exceeds the prescribed standards, without providing criteria on which to base the approval. Not only can these approvals be considered arbitrary but a property owner (or developer) does not know in advance of the Commission review what additional criteria will need to be met to seek approval. Please note the following policies:

Policy 1-2.1.5: Maximum Building Height Defined. Map 1-3: Comprehensive Plan Maximum Building Heights” designates graphically the maximum threshold for such building heights by stories. 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. The combination is detailed in the Maximum Future Land Use Map Designation Density/Intensity Table. The City Commission is authorized to approve, as a special exception, one additional story in the Mixed Use District when the plan approval significantly increases open space, or preserves existing trees, or increases street front setbacks but this in no way increases the maximum permitted floor area ratio from the original story limit criteria in the Future Land Use Map Designation Maximum Density/ Intensity Table.

Policy 1-2.3.1: Commercial. This land use classification 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 and C-3, but may also include areas zoned I-1 when used for commercial or office or residential purposes. This designation also allows a density of residential uses up to 17 units per acre. 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. Public parking garages and hospital facilities including administrative offices of the Winter Park Hospital may be excluded from the floor area ratio by the City Commission as deemed appropriate to foster the goals of the Comprehensive Plan for this critical public health service, pursuant to any adopted Master Plan as may be approved by the City Commission.

Policy 1-2.3.2: Office and Professional. This land use classification includes the business and professional activities housed in office structures such as those allowed in the O-1 and O-2 districts. This designation also allows a density of residential uses up to 17 units per acre. 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. Public parking garages and hospital facilities including administrative offices of Winter Park Hospital may be excluded from the floor area ratio by the City Commission as deemed appropriate to foster the goals of the Comprehensive Plan for this public health service, pursuant to any adopted Master Plan as may be approved by the City Commission.

Policy 1-3.2.2: Maintain the Character and Vitality of the CBD Environs. The City shall maintain the character 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. The Comprehensive Plan identifies the specific character of sub-areas and corridors within the CBD and its environs, including their function and form, density and intensity, building height, mass, articulation, and fenestration, as well as building relationships to each other and to the street. The Comprehensive Plan shall impose a two story and 30' height limit throughout the area designated CBD on the Future Land Use Map but these height restrictions may be exceeded to a maximum 3 stories and a 40' height limit if the development is approved by an extraordinary vote (four votes) by the City Commission as a 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 shall be excluded from floor area calculations as shall public parking garages. Planned Development Overlay approvals or other variances for more than three stories are prohibited. Third floors approved by conditional use along the Park Avenue Corridor must be setback on street frontages equal to their height on a one foot setback for each one foot height of the third floor.

Policy 1-3.2.7: Future Land Use Amendments to Mixed Use. The City may approve, at its discretion, amendments or changes to the mixed use 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 mixed use designation, the City may limit the intensity below the maximums permitted by this element for any reason determined advisable. The adoption of mixed use 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.

Canin Comment:

In each of the above noted policies the City may want to add language that identifies what the City is trying to achieve (what is the public purpose) and that within a prescribed time period Land Development Regulations will be adopted providing the criteria within which the bonus can be considered. In addition, when a clear intent is indicated the city may not need to rely on a super majority to make decisions.

DCA General Objective 1 (continued) Policies should establish meaningful and predictable standards

Policy 1-2.6.2: Conservation (CON). The FLUM shall designate lands that are natural and coastal resources as "CON." It is the intent of the "CON" 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 areas, such as wetlands and the 100-year flood plain, 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 land and the general

public, such as boardwalks or access way for maintenance, are permitted on this land and/or wetland floodplain area. Access is generally 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 lands that are demonstrated to be environmentally sensitive. The only exception and intensity of use potentially permitted (by conditional use requiring a super majority vote of the City Commission) 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.

Canin Comment:

The City may want to consider developing Land Development Regulations that regulate the development of boardwalks and gazebos in Conservation areas.

Policy 1-3.1.8: Implement Affordable Housing Program. The City shall take a proactive position to maintain the ethnic and economic diversity of its population by implementing the affordable housing program outlined within the Housing Element wherein the City shall use affordable housing linkage fees and other revenue sources to purchase land and fund the construction of housing units affordable to very low, low, or moderate income families and individuals so that 15% of all new housing construction in the City is of affordable housing. (New housing means new net housing units and excludes demolitions and rebuilding of units).

Canin Comment:

How will the city implement this program? It appears that the City is taking responsibility for the creation of affordable housing. If the City does not build the 15% will it impose a moratorium on new residential development?

Canin Comment:

A number of policies address issues that should be included in the Land Development Regulations and/or the City's proposed Form Based Code. The following policies were identified.

Policy 1-3.2.2: Maintain the Character and Vitality of the CBD Environs. The City shall maintain the character 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. The Comprehensive Plan identifies the specific character of sub-areas and corridors within the CBD and its environs, including their function and form, density and intensity, building height, mass, articulation, and fenestration, as well as building relationships to each other and to the street. The Comprehensive Plan shall impose a two story and 30' height limit throughout the area designated CBD on the Future Land Use Map but these height

restrictions may be exceeded to a maximum 3 stories and a 40' height limit if the development is approved *by an extraordinary vote (four votes) by the City Commission* as a 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 shall be excluded from floor area calculations as shall public parking garages. Planned Development Overlay approvals or other variances for more than three stories are prohibited. Third floors approved by conditional use along the Park Avenue Corridor must be setback on street frontages equal to their height on a one foot setback for each one foot height of the third floor.

a. Open Space, Landscape and Other Buffers. 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. A combination of architecturally designed capped masonry walls in combination with aforementioned landscape plant materials shall be required to buffer potentially incompatible uses when the building mass, scale, and intensity of use, and adverse impacts are significant. These shall apply, except for mixed use projects incorporating residential and non-residential uses.

Canin Comment:

The following policies were of general concern:

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 there does not exist in the general area sufficient developed or undeveloped land of the proper land use designation so as to allow the proposed use;
2. 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;
3. That the change can be demonstrated to be in the best interests of the City at large;
4. That the change can be demonstrated to be in the best interests of the adjacent residential area;
5. That residential use of the property is no longer a viable use.

Canin Comment:

This is very restrictive language and could preclude the City from making changes that are consistent with the city's goals.

Policy 1-3.5.2: Investigate Just Compensation/Linkage System for Adverse Impacts Incurred by Changes in Future Land Use Designation from Residential to Nonresidential Use. 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.

Canin Comment:

What does this mean and how/when will it be implemented?

In addition to the review of the ORC response Canin Associates had been asked to comment on the following key comprehensive plan issues:

- The Height Map. Canin Associates continues to support the height map as a guide. We recommend that the City adopt floor to floor height standards in its Land Development Code. We also recognize that this map may be amended as the City completes a visioning process and the creation of a form based code.
- Height Flexibility. This is another issue that will be more thoroughly analyzed through the development of a form based code, but in the meantime, Canin Associates is generally supportive of the flexibility, we are however, concerned with the language utilized to implement the flexibility. Specific standards should be adopted for the review of any application that propose additional height. Canin Associates would be happy to work with City staff to draft suitable language.
- Mixed Use Category. Canin Associates continues to support the creation of a mixed use category. In the absence of the visioning exercise, we advise the City to adopt the transmitted floor area ratio. If the City is so inclined to increase the FAR as an incentive for better projects, we recommend the City provide specific standards for approving an increase, including how to assess that the benefits received are adequate given the incentives granted. Again, Canin Associates would be happy to work with City staff to draft suitable language.

Prior to transmittal of the plan last year, Canin Associates prepared a list of items that were felt to be of particular issue with the proposed Comprehensive Plan. The City for the most part has added and/or considered our previous recommendations. However, the following item has not been addressed. Canin Associates still recommends the following change:

- Remove parking structures from floor area ratio calculations anywhere in the City. FAR is used to determine intensity of development. Parking garages that serve the principal use do not in themselves generate intensity. DCA requires a jurisdiction to determine impacts on services based on the maximum FAR. To include private parking garages as FAR creates service requirements that are not based on impact generating uses. Further, the inclusion of parking structures in the FAR is a disincentive to developing parking garages, resulting in surface lots and sprawl.

Since, our last recommendation the City has identified the need and is moving forward to develop a form based code and the visioning exercise that must accompany any successful form based code development. We at Canin Associates applaud the City's decision to move forward on this and further

advise that through this process many of the issues that the City is currently grappling with in their Comprehensive Plan will be more thoroughly and thoughtfully addressed.

Once again, it has been a pleasure to serve the City and we look forward to continuing our participation with the City and the community on these very important initiatives.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brian C. Canin". The signature is fluid and cursive, with the first name "Brian" being more prominent than the last name "Canin".

Brian C. Canin AIA, AICP

Cc: Jeff Briggs, Planning and Community Development
Vice Mayor John Eckbert
Commissioner Margie Bridges
Commissioner Karen Diebel
Commissioner Doug Metcalf
James S. Williams, City Manager
Trippe Cheek, City Attorney

**Changes Made to the
Comprehensive Plan Per the
Objections,
Recommendations and
Comments (ORC) Report
Issued by Florida Department
of Community Affairs**

August 2007

Comp Plan Changes Per ORC Report

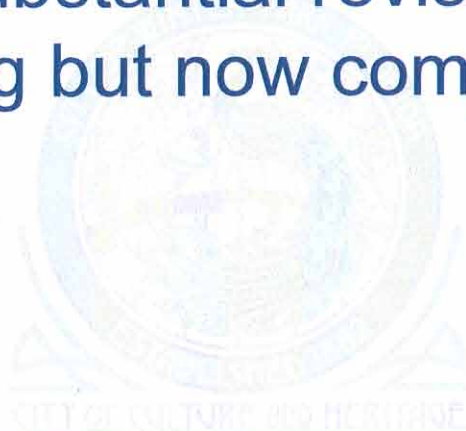
1. Some Policies Lacked Measurable Standards or Meaningful and Predictable Policies in the Comp Plan

Referenced Zoning District and Zoning Regs rather than the Comp Plan designations and Comp Plan standards/criteria. Made corrections as needed. Replaced open ended exemptions for affordable/workforce housing incentives. Winter Park Hospital exemption per Master Plan and non-profit/institutional facility exemptions to one policy only. Mixed use flexibility was defined to one extra story and no added FAR.

Comp Plan Changes Per ORC Report

2. Included Vague Statements

DCA viewed our generalized text discussions of issue history, pros/cons and alternatives descriptions as vague and unenforceable. Goals, Objectives and Policies are to be nothing but GOP's. Required substantial revision, reformat and renumbering but now complies as GOP's only.



Comp Plan Changes Per ORC Report

3. School Siting and School Coordination Policies were deficient

Staff added policy text after discussions with the School Board staff and DCA. New policies have been sent to DCA for their review and received positive response. City will need to add a School Facilities Element with School Concurrency to the Comp Plan by April 1, 2008.

4. Mapping Deficiencies

Needed to identify wetlands and add new Conservation Future Land Use category for those areas. Other info. was added to the Future Land Use Map Series.

Comp Plan Changes Per ORC Report

5. Lacked a Five Year Capital Improvement Program

Was in the data document and has been moved to the GOP's where required.

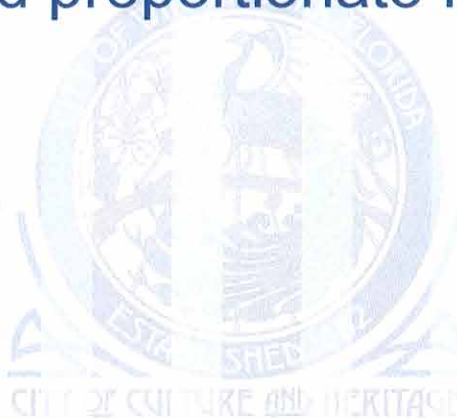
6. Water Supply Data and Policies Deemed Insufficient

CH2MHill has assisted with supplementary data and policies. They have drafted the new Water Supply Element due to be transmitted in November 2007 and are currently reviewing it with St. John's District staff.

Comp Plan Changes Per ORC Report

7. Transportation Element

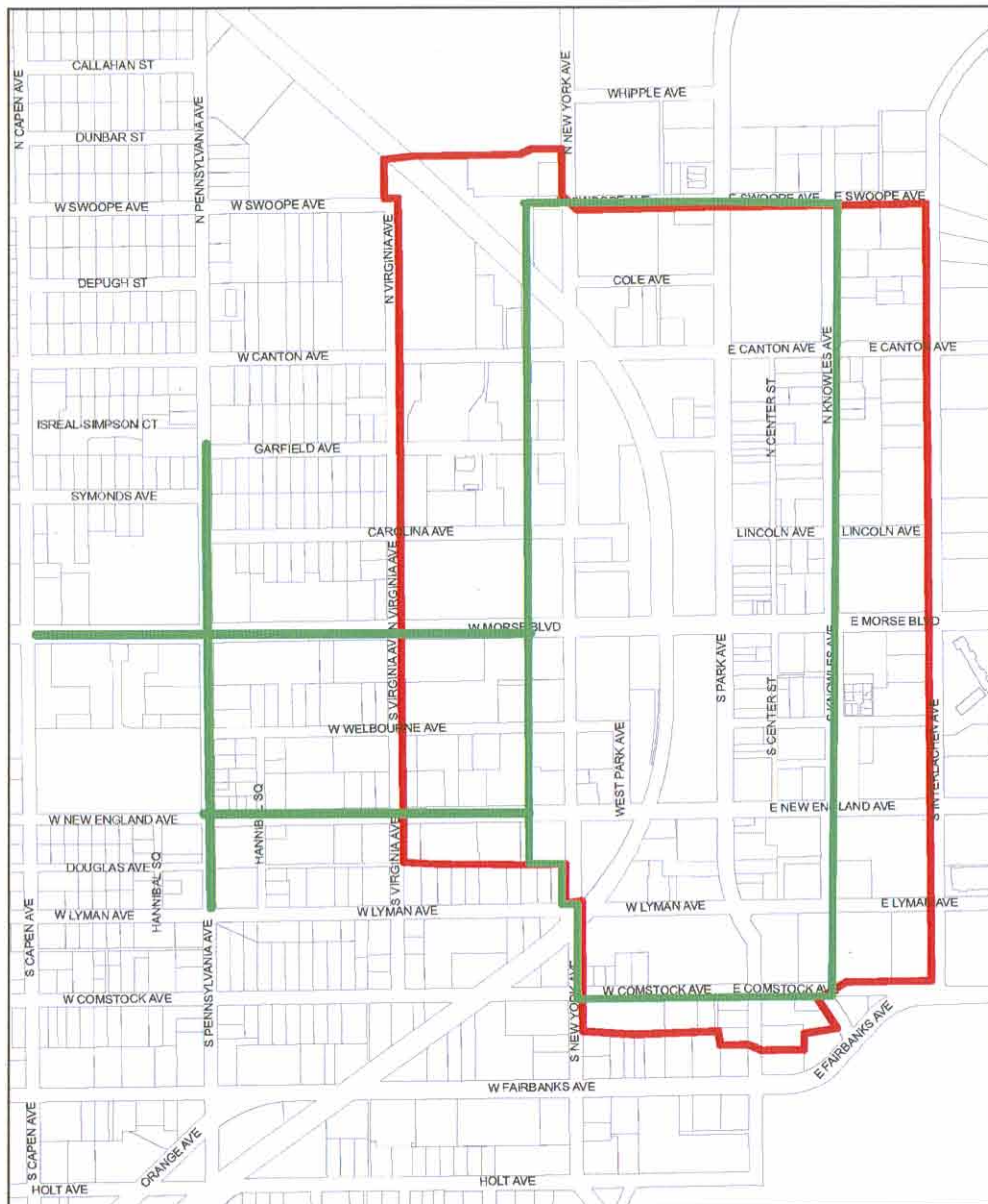
Lacked concurrency management system and proportionate fair share mitigation procedures as required by statute. This element was substantially revised from the Glatting/Jackson work product of 2004 to comply with concurrency requirements and the impact of Senate Bill 360 of 2005 imposing new concurrency and proportionate fair share policy requirements.



Comp Plan Changes Per ORC Report

7. Transportation Element (cont.)

The revised Transportation Element has a concurrency system similar to that adopted by Orange County and many other jurisdictions. Traffic study and data reporting requirements have been added for new development projects beyond that in the 1991 Plan. Measuring standard changed from daily trips to peak hour trips per State requirements. LOS changed from "C" to "D" on local roads but 20% exemption in the 1991 Plan had to be eliminated. State roads already over capacity have 5% new net peak hour trip allowances. Proportionate fair share policies have been added and accompanying ordinance to be adopted in late fall of 2007.



Central Business District vs. Central Business Zoning (C-2)

Comp Plan Decision Issues

- **Maintain the CBD FAR per transmittal**
(200% not counting parking garages – same as 1991 Plan)
- **Agree to Limit (100% Residential) Use of Commercial/Office Properties**
(First floor must be office/retail/restaurant)
- **Height Map Flexibility**
(One added story – extra FAR for site or public benefits)
- **Agree to Mixed Use Zoning Alternative**