CITY OF WINTER PARK
PLANNING AND ZONING COMMISSION

Staff Report
October 6, 2009

REQUEST OF THE CITY OF WINTER PARK TO AMEND
CHAPTER 58 “LAND DEVELOPMENT CODE”, ARTICLE I,
“COMPREHENSIVE PLAN” SO AS TO AMEND AND
UPDATE THE CAPITAL IMPROVEMENT ELEMENT TO
REFLECT THE REVISED FIVE YEAR (FY 2010 – FY 2014)
CAPITAL IMPROVEMENTS PLAN AND NARRATIVE
PURSUANT TO THE REQUIREMENTS OF CHAPTER 163,
FLORIDA STATUTES.

Chapter 163, Florida Statutes requires all local governments in Florida to annually
update the Five Year Capital Improvement Plan (CIP) within the Capital Improvement
Element of the Comprehensive Plan. This is the first year the City must do this (since
we now have a valid up-to-date Comprehensive Plan). In our case, the CIP is both a
text narrative explanation of the CIP and tables showing the specific projects, funding
and time period. This CIP tracks the one adopted by the City Commission as part of the
budget approved on September 28, 2009.

There are three major changes from the existing CIP in this ordinance as follows:
1. The City is taking an entirely different approach to complying with the unfunded
mandate to provide an alternative potable water supply, per the required Water
Supply Plan. First we believe we can live with the limits imposed via the City’s
consumptive use permit from St. Johns. We also believe that expanding the use
of reclaimed water for lawn irrigation and sincere efforts at water conservation
can be effective in providing more potable water for consumption rather than for
irrigation.
2. The demise of SunRail eliminates that project from our transportation
commitments. As you know, in 2010, the City must make changes in the
Transportation Element that are required by Senate Bill 360. At that time, the
City will decide what type of transportation concurrency we desire and what our
transportation improvement commitments will be. Until that time, this part
reflects the existing concurrency requirements of the Comprehensive Plan.
3. The Parks and Recreation CIP now reflects the City Commission approved fund
raising projects for Fleet Peoples Park and Mead Garden.

STAFF RECOMMENDATION IS FOR APPROVAL.
ORDINANCE NO. _________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,
AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE”
ARTICLE I, “COMPREHENSIVE PLAN” SO AS TO ADOPT
AMENDMENTS TO THE CAPITAL IMPROVEMENT ELEMENT
OF THE COMPREHENSIVE PLAN INCLUDING A NEW
UPDATED FIVE YEAR CAPITAL IMPROVEMENT PLAN AS
PART OF THE COMPREHENSIVE PLAN, GOALS, OBJECTIVES
AND POLICIES DOCUMENT SUBSTITUTING FOR THE
CURRENT FIVE YEAR CAPITAL IMPROVEMENTS PLAN AND
PROVIDING AN EFFECTIVE DATE.

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

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

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

WINTER PARK FIVE YEAR CAPITAL IMPROVEMENT PLAN

Introduction

The format of the Winter Park five year capital improvement plan is to provide a narrative description of
the status of each program to provide an understanding of the status of previous projects, the status of
currently committed and programmed improvements and the direction for committed projects in the
time horizon beyond the current five year program. This section shall be updated annually.

Potable Water

The City of Winter Park owns and operates three potable water production plants that serve the nine
square miles of the city and the overall twenty-two square miles of the city’s utility service area. These
three water treatment facilities are the Swoope Avenue Water Treatment Plant, the University Boulevard
Water Treatment Plant and the Magnolia Avenue Water Treatment Plant. Beginning in 2001 and
ending in 2008, all three of these water plant facilities were completely rebuilt, modernized and have
increased water production capacity. This water plant improvement project was a $37 million dollar
investment. As a result, the City’s Capital Improvement Program does not include any major water
plant improvement projects as that major effort has just been completed. Design capacity for these three
interconnected water plants are 28.8 mgd. (Design capacity is based on maximum daily usage plus fire
emergency) Available unused water production capacity in 2008 is 17.6 mgd. Available unused water
production capacity in 2028 is projected at 16.6 mgd. This surplus capacity insures the availability of
potable water for all growth/development throughout the entire utility service area plus emergency capacity for fire fighting capabilities.

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

<table>
<thead>
<tr>
<th>Year</th>
<th>Permitted Groundwater Withdrawal$^1$ (mgd)</th>
<th>Average Daily Demand Average Daily Flow$^2$ (mgd)</th>
<th>Available Capacity (mgd)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2008</td>
<td>11.9</td>
<td>11.2</td>
<td>0.7</td>
</tr>
<tr>
<td>2013</td>
<td>12.0</td>
<td>11.4</td>
<td>0.6</td>
</tr>
<tr>
<td>2018</td>
<td>12.2</td>
<td>11.4</td>
<td>0.8</td>
</tr>
<tr>
<td>2023</td>
<td>12.7</td>
<td>11.7</td>
<td>1.0</td>
</tr>
<tr>
<td>2025</td>
<td>12.7</td>
<td>11.9</td>
<td>0.8</td>
</tr>
</tbody>
</table>

**Water Supply Plan**

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

The SJRWMD has identified alternative water supplies in the District Water Supply Plan 2005. For the City of Winter Park, when the Comprehensive Plan was adopted in February 2009, it appeared that the St. Johns River (near Yankee Lake) was identified as the best option for an alternative water supply. The City of Winter Park began is currently working with the Seminole County and exploring the technical and institutional feasibility of developing the St. Johns River near Yankee Lake alternative. To that end, the previous year’s CIP showed the City’s share of funding for the planning and design for the Yankee Lake Regional Water Source project. Funding was is shown for FY 2009/FY2010/FY2011 combined at $1,682,182. It was is expected that significant additional design expenditures would will be required for FY2012/FY 2013, but those amounts are not known at this time. Construction costs were are estimated at $44 million for the City’s share to begin after fiscal year 2013. Total costs for this alternate water supply option were expected to top $50 million.

In light of the potential $50 million projected cost for an alternative water supply that may or may be needed, together with the environmental, legal and political challenges looming for that option, the City of Winter Park has undertaken a new strategy to comply with the unfunded mandate imposed by the Florida Legislature. It is composed of three major initiatives as follows:
Comply with the consumptive use permit – The City is resolved to ‘live within our means’ and comply with the maximum groundwater withdrawal levels allowed under the current SJRWMD consumptive use permit. Winter Park and its water service area is substantially built-out and the demands for additional potable water use by new growth and development should be manageable within the current permitted levels of the consumptive use permit. Even in 2025, there is projected to be 800,000 gallons per day of permitted groundwater withdrawal that will not be needed.

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

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

The current CIP shows another component of the Water Supply Plan is the Automatic Meter Reading (AMR) project. This is a $9 million dollar capital improvement project shown on the City’s capital improvements plan as phased in over FY 2010/FY2011. The AMR system provides budget efficiencies in eliminating the meter reading personnel but the other attractive feature is that the AMR system continually transmits data on water consumption which is important in identifying leaks that occur in the system. Significant amounts of potable water are lost annually to leaks that are undiscovered by the property owners until they receive a huge monthly utility bill in the mail. The AMR system provides the ability to identify water system leaks to then facilitate quick repair and will be an important water conservation tool in the future to conserve potable water usage.

Waste Water or Sanitary Sewer

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

Upgrading/Rerating of the Iron Bridge Regional Treatment Plant

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

Additional Capacity from the City of Altamonte Springs

The City of Altamonte Springs has 5,483 mgd of excess sewer treatment capacity available for purchase. Only a small portion of the City’s overall flow is sent to Altamonte Springs. The operational costs at Altamonte Springs are significantly less than at the City of Orlando plants. The City of Winter Park anticipates a capital improvement project to divert flow going to Orlando’s iron Bridge treatment plant to Altamonte Springs. The savings in operational treatment costs may very well pay for this project over time plus in would open up more capacity long term for growth and development. The City’s capital improvement plan shows $1.5 million in FY 2013/FY 2014 and FY 2012/FY 2013 which includes the construction costs and purchase expense for that project.

Expansion of the Winter Park Estates Plant

The Winter Park Estates Water Reclamation Facility, owned by the City, is a sewer treatment plant utilizing spray irrigation of the treated effluent as disposal method onto golf courses and parks. That facility is permitted at 0.75 mgd but limited to 0.615 mgd due to wet weather storage limitations. Spray irrigation has the benefits of aquifer recharge and water conservation. As such, it is an important component of the City’s consumptive use permit from SJRWMD. The City’s desire is to expand the Winter Park Estates plant to 1.0 million gpd via rerating of the plant, plant improvements and by expanding the irrigation system to include adjacent residential neighborhoods. The City’s capital improvements plan shows $5 million over FY 2009/FY 2010/FY 2011 for this project. By reducing the need for the use of potable water for irrigation this project also is a potable water conservation and aquifer recharge capital improvement project.

Fairbanks Avenue Sewer Extension

In order to encourage the redevelopment of the Fairbanks Avenue commercial corridor from I-4 to US 17-92, the City has committed to a $2.8 million dollar sewer expansion project in FY 2010/FY 2011, FY 2009/FY 2010. This corridor, annexed by the City in 2003 is now entirely served by septic tanks. The availability of sanitary sewer, over time, will encourage redevelopment of this gateway corridor now composed of strip commercial, car lots and convenience stores into offices and restaurants that need sanitary sewer.
<table>
<thead>
<tr>
<th>Project Name</th>
<th>Cost</th>
<th>Description</th>
<th>Funding Source</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Supply Plan Implementation Phase I</td>
<td>160,000</td>
<td>City's planning and design for the expanding reclaimed water irrigation in partnership with Orlando. Construction costs estimated to begin until after fiscal year 2013.</td>
<td>Water / Sewer utility Funds</td>
<td>80,000</td>
<td>80,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AMR System Implementation*</td>
<td>9,000,000</td>
<td>Automatic meter reading. Compliments water supply plan by fostering water conservation.</td>
<td>Water / Sewer utility Funds</td>
<td>4,500,000</td>
<td>4,500,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renovation/ Rebuild of Iron Bridge</td>
<td>2,873,272</td>
<td>Upgrading/ remixing of Orlando's Iron Bridge Regional Wastewater Treatment Facility, City of Winter Park's share cost</td>
<td>Water / Sewer utility Funds</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>873,272</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sewer Treatment Capacity Purchase</td>
<td>1,500,000</td>
<td>Altamonte Springs wastewater treatment facility. Purchase of additional sewer treatment capacity.</td>
<td>Water / Sewer utility Funds</td>
<td></td>
<td></td>
<td></td>
<td>500,000</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Re-rating Water Supply Plan Phase II of Winter Park Estates Sewer / Water Re-use Plant</td>
<td>100,000</td>
<td>Re-rating of Winter Park Estates sewer treatment plant via reclaimed water system for alternative water sources for irrigation purposes</td>
<td>Water / Sewer utility Funds</td>
<td></td>
<td></td>
<td></td>
<td>100,000</td>
<td></td>
</tr>
<tr>
<td>Fairbanks Avenue Sewer Extension</td>
<td>3,600,000</td>
<td></td>
<td>Water / Sewer utility Funds</td>
<td>1,800,000</td>
<td>1,800,000</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Project approved but temporarily on hold until bond market stabilizes.
Recreation and Open Space

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

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

Winter Park’s population as of April 1, 2009 is 28,581 is currently at 28,486 which requires 285.81 284.86 acres to meet the required level of service. The current inventory indicates 296.45 acres of park and recreation land. Given the current calculation, the inventory shows an excess of 10.64 11.59 acres over the required 285.81 284.86, which translates to the capacity of an additional 1,064 1,159 residents in the City of Winter Park without compromising the necessary levels of service outlined in the Comprehensive Plan.

<table>
<thead>
<tr>
<th>Recreation, Park and Open Space Acreage by Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
</tr>
<tr>
<td>Special Purpose Parks &amp; Facilities</td>
</tr>
<tr>
<td>Community Parks</td>
</tr>
<tr>
<td>• Gathering Places</td>
</tr>
<tr>
<td>• Recreation</td>
</tr>
<tr>
<td>• Lake Access</td>
</tr>
<tr>
<td>Neighborhood Parks</td>
</tr>
<tr>
<td>Mini-Parks</td>
</tr>
<tr>
<td>Linear Recreation Area</td>
</tr>
<tr>
<td>Open Space</td>
</tr>
<tr>
<td>Lakes (Chelton, Knowles, Midget, Wilbar)</td>
</tr>
<tr>
<td>Totals:</td>
</tr>
</tbody>
</table>
Future Park and Recreational Needs

The City’s population is anticipated to increase by 5,919 6,014 residents between 2009 2007 and 2028. As population increases, so too will the demand for parks and recreation facilities.

<table>
<thead>
<tr>
<th>Winter Park Population Projections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
</tr>
<tr>
<td>Total Permanent Population</td>
</tr>
</tbody>
</table>

Future Park Demands. The demand for future parkland is based upon two factors, the future population, and the LOS for parks. Winter Park’s LOS for park land is 10 acres for each 1,000 residents. Based upon that LOS, the City has sufficient park land for a population of 29,645. As a result, additional park land will need to be acquired to meet the adopted LOS in 2013.

<table>
<thead>
<tr>
<th>Projected Park Acreage Demands &amp; Needs Based on Population Projections for Park &amp; Recreation Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
</tr>
<tr>
<td>------</td>
</tr>
<tr>
<td>2009</td>
</tr>
<tr>
<td>2013</td>
</tr>
<tr>
<td>2018</td>
</tr>
<tr>
<td>2023</td>
</tr>
<tr>
<td>2028</td>
</tr>
</tbody>
</table>

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

The city’s capital improvement plan does include continued funding $500,000 in FY 2013 for the acquisition of additional park land in order to meet the expected needs of the anticipated population growth. Funding at that time and in the future years will be necessary to maintain the level of service standard if the expected annexations occur. Again the need for additional park land is largely dependent upon annexations increasing the city’s population.
<table>
<thead>
<tr>
<th>Project Name</th>
<th>Cost</th>
<th>Description</th>
<th>Funding Source</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Fleet Peoples Park improvements (Phase I)*</td>
<td>228,000</td>
<td></td>
<td>Fund Raising*</td>
<td>114,000</td>
<td>114,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Mead Garden Master Plan Renovation**</td>
<td>800,000</td>
<td></td>
<td>Fund Raising**</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>3 Golf Course Pro Shop</td>
<td>250,000</td>
<td></td>
<td>General Funds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>125,000</td>
</tr>
<tr>
<td>4 The Tree Farm Park Conversion</td>
<td>1,500,000</td>
<td></td>
<td>General Funds</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>750,000</td>
</tr>
<tr>
<td>5 Future Park Acquisitions***</td>
<td>340,000</td>
<td></td>
<td>Park Impact Fees</td>
<td>40,000</td>
<td>60,000</td>
<td>80,000</td>
<td>80,000</td>
<td>80,000</td>
</tr>
</tbody>
</table>

* Contingent upon fund raising by Friends of Fleet Peoples Park
** Contingent upon bond issue and fund raising by Friends of Mead Gardens
*** Comprehensive Plan Policy 6-1.1.5 requires 10% of year end general fund balance to be allocated to park and recreation trust fund for new park acquisition. Fund balance and park impact fees are estimated at $80,000 per year.
Drainage and Aquifer Recharge

The City of Winter Park has a storm water utility fee charged to all properties within the City. This fee funds ongoing drainage repairs and improvements, street sweeping for surface water quality (to reduce debris into the lakes) and our “Save our Lakes” program of capital water quality improvement projects. The storm water utility fee was established in 1990 and is an ongoing continual program of maintenance/repair and capital improvement (water quality and drainage) projects. The City Commission has established a policy of directing 40% (approx. $622,000 annually) to capital improvement projects and the balance to ongoing operational expenses.

Storm Water Retrofits

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

Exfiltration within the Golf Course

The City just completed a major project on the third hole of City’s municipal golf course by diverting the street drainage from the adjacent streets into a large exfiltration pipe system buried below that portion of the golf course. Diverting these storm water flows reduces the amount of street debris into Lake Maitland and significantly enhances aquifer recharge potential. Additional funding is shown in FY 2013 for the start of another similar project within the golf course area.
<table>
<thead>
<tr>
<th>Project Name</th>
<th>Cost</th>
<th>Description</th>
<th>Funding Source</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dixie Parkway Outfall No. 3 - Stormwater Retrofit</td>
<td>400,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td>400,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North New Yourk Avenue - Stormwater Retrofit - Phase 2</td>
<td>272,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td>272,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Locked Lake Retrofits</td>
<td>172,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td>172,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lake Sue - Outfalls No. 72-75 - Liquid/ Solid Separators</td>
<td>300,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td>300,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elizabeth Drive (park area) - Additional Treatment</td>
<td>200,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td>200,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solids Removal from outfalls with Alum Satations - Phase 1</td>
<td>450,000</td>
<td>Alum injection project</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td></td>
<td>450,000</td>
<td></td>
</tr>
<tr>
<td>Lake Berry Outfalls - Stormwater Retrofits</td>
<td>150,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td></td>
<td>150,000</td>
<td></td>
</tr>
<tr>
<td>Lake Sylvan Outfalls - Stormwater Retrofits</td>
<td>150,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td></td>
<td>150,000</td>
<td></td>
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<tr>
<td>Lake Killaney Stormwater Outfall improvements</td>
<td>472,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td></td>
<td>472,000</td>
<td></td>
</tr>
<tr>
<td>Exfiltration within Golf Course Area</td>
<td>200,000</td>
<td>Exfiltration - aquifer recharge</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td></td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Continued Programmed Stormwater Retrofits</td>
<td>622,000</td>
<td>Stormwater outfall retrofits</td>
<td>Stormwater Utility Fund</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>622,000</td>
</tr>
</tbody>
</table>
Transportation-Traffic Circulation Capital Improvement Projects

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

State/Federal/Local Committed Transportation Projects

Central Florida Commuter Rail

Since the adoption of this Comprehensive Plan in February, 2009, the Florida Legislature declined to approve, one of the cornerstones of Winter Park’s future multi-modal transportation enhancement strategies which was participation in the Central Florida Commuter Rail project. In that project, the Florida Department of Transportation (FDOT) intended to purchase 61.5 miles of the existing CSX right-of-way and freight tracks to construct and operate a commuter rail system that would serve Volusia, Seminole, Orange, and Osceola Counties. The City of Winter Park had agreed to participate in the commuter rail project and entered into an inter-local agreement with Orange County in August 2007 to facilitate a “kiss and ride” stop in downtown Winter Park in conjunction with the existing Amtrak station. The overall Commuter Rail project was to be constructed in two phases. Phase I was to be constructed along 31 miles of the tracks from Debary in Volusia County to Sand Lake Road in south Orange County. This phase was to include 12 commuter rail stations, including the destination station at the existing Amtrak location in the City of Winter Park, and was expected to be in operation in late 2010. Phase II will connect the Sand Lake station to Poinciana in Osceola County and the Debary station to Deland in Volusia County. This phase expected to be in operation in 2013 will introduce another 30 miles of tracks and an additional 5 stations.

The overall project cost for Phase I was projected at $357.2 million. Included in this overall project was $3.75 million in federal funding earmarked for the City of Winter Park’s commuter rail stop. That funding is no longer available and thus no longer programmed in the City’s CIP. This specific federal funding specified that no local match is required by the City although the City did spend $125,000 on a citizen involvement and preliminary design process. One important component of the Winter Park rail stop project will be improvements for drop-off/pick-up and transit/bus service which is lacking given the minimal needs experienced at this current Amtrak station. This should greatly enhance ridership. Projected initial ridership at the Winter Park stop is 549 boardings per day.

Winter Park is currently estimated to generate 7% of the whole 61.5 mile system boardings (a boarding is considered a person embarking from or disembarking at the Winter Park station). The operations and maintenance portion of the O&M costs are based on these boardings and is projected to equate to $504,000 after farebox revenues have been deducted. The fixed guideway bonds portion of the O&M is based on track miles within the city limits and this is projected to equate to $486,000. Therefore, the total O&M for Winter Park is projected at $990,000 for the initial year. However, since Orange County has agreed to pay 30% of Winter Park’s O&M, this leaves $693,000 remaining for Winter Park to pay beginning in 2017 or 2018 after the first 7 years of operation that FDOT has agreed to finance.

Operation and maintenance expenses for the first seven years of service were to be funded by Florida DOT. Following that time period, the participating local governments were to pick up the operational and maintenance expenses. as outlined above. The inter-local agreements expected that a dedicated funding source for those expenses will be forthcoming. The commitment to fund Winter Park’s portion of the O&M expenses is also no longer programmed in the City’s CIP due to the project’s status.
Amtrak Station Improvements

Winter Park has received a Federal earmark grant to improve and reconstruct the existing Amtrak station, located where the commuter rail stop had been proposed. Federal funds available starting in FY 2010 are $950,000 and in addition the City must provide the 20% local match of $190,000. The new constructed Amtrak Station, enhanced restrooms and companion transit accommodations will augment service for the future use of the rail system.

Federal/State Funded Committed Transportation Projects

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

Fairbanks Avenue (SR 426) Pedestrian Improvements

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

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

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

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

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

Interstate Four Expansion Project

Interstate Four (I-4) linking Daytona Beach to Tampa has 73 miles of its length through Central Florida. I-4 accommodates an average of 1.5 million trips daily in Osceola, Orange, Seminole and Volusia
counties. Over the next few decades, FDOT will reconstruct those 73 miles of I-4 by expanding the road to six lanes and two HOV lanes. Right-of-way acquisition has already started in Central Florida. The City of Winter Park has 100 feet of I-4 within our city limits at the Fairbanks Avenue (SR426) intersection. Despite the minimal extent of I-4 within the City of Winter Park, this roadway on the city’s western border is the cornerstone of the region’s transportation and mobility improvement strategy for Central Florida. It is estimated that the project cost will be approximately $2 billion.

Aloma Avenue (SR 426) Widening Project

This project involves the expansion of Aloma Avenue from four lanes to six lanes from Lakemont Avenue to the Seminole County line. Approximately one mile of this roadway is within the city limits. At this time that project has been included by the MPO in the Metroplan Orlando Needs Network but not in the Financially Constrained Network, thus no dollar value has been assigned. Project timing is dependent upon the MPO. At such time as funding is identified and the project programmed in the TIP, the policies of this Comprehensive Plan have committed local funding participation to this project in a manner consistent with Policy 2-4.1 of the Transportation Element.

Lee Road Extension

The flow of traffic through intersection and the operation of intersection traffic signals are the primary functions that control the LOS and traffic capacity on all the state roads in the city. The City has two intersections in close proximity (660 feet) of each other at Lee Road (SR 423) and US 17-92/SR 15/600 and at Webster Avenue and US 17-92/SR 15/600 that are the major “choke” points restraining peak hour capacity particularly on US 17-92/SR 15/600. The Lee Road (SR 423) extension project would improve traffic flow on both Lee Road (SR 423) and US 17-92/SR 15/600 by extended Lee Road and eliminating the left hand turn movements onto Webster thereby increasing capacity on US 17-92/SR 15/600. The City has supported this project and Fl. DOT in support of this project has completed the preliminary design and engineering of the project. However, at this time that project of $16 million has not been included by the MPO in the TIP but it is included in the Metroplan Orlando Financially Constrained Network and Needs Network. Thus, project timing is dependent upon the MPO. At such time as funding is identified and the project programmed in the TIP, the policies of this Comprehensive Plan have committed local funding participation to this project in a manner consistent with Policy 2-4.1 of the Transportation Element.

US 17-92/SR 600 Improvement Project

This project would widen the sidewalks along the US 17-92 corridor to enhance pedestrian bicycle mobility and safety plus eliminate and consolidate driveways thereby increasing traffic capacity. The City has supported this project and Fl. DOT has done preliminary engineering costing of the project. However, at this time that project has not been included by the MPO in the TIP but it is included in the Metroplan Orlando Financially Constrained Network and Needs Network. Thus, project timing is dependent upon the MPO. At such time as funding is identified and the project programmed in the TIP, the policies of this Comprehensive Plan have committed local funding participation to this project in a manner consistent with Policy 2-4.1 of the Transportation Element.
City of Winter Park Committed and Funded Transportation Projects

Denning Drive Traffic Signal Improvements

The City of Winter Park has begun and has programmed in the City’s capital improvements plan, the upgrade of the traffic signals at the Denning Drive intersections with Canton Avenue, Webster Avenue and Morse Boulevard. Total project cost is $375,000. The Canton and Webster Avenue intersections are complete. The project will continue at the other two intersections ($125,000-$250,000) with traffic signal/controller replacements and pedestrian signal additions. Adjacent to these intersections are the OCPS Vocational Education Center (Webster School), Center for Independent Living (handicapped/blind services housing), Winter Park Village, Valencia Community College and Lake Island Park. The end result will be better traffic signal timing/traffic flow as well as enhanced pedestrian mobility and safety.

Fairbanks Avenue (SR 426) Improvement Project (I-4 to U.S. 17-92)

The sanitary sewer component of the City’s capital improvements plan includes the $4.6 million dollar project to extend sanitary sewer along this corridor. While primarily a project to encourage redevelopment and improvement along this corridor, that subsequent redevelopment that will now be possible from the availability of sanitary sewer will be required to eliminate and consolidate driveways and to use mandatory rear common alley/driveway access to the adjacent side streets. This will increase traffic capacity and movement along this 1.5 mile length of this project. In addition, the City utilizing a combination of general fund revenue and assessments will also be undertaking traffic signal improvements and pedestrian/bicycle safety enhancements at an additional projected cost of $2.8 million dollars.

US 17-92/SR 15/600 and Orange Avenue (SR 527) Intersection Improvement

The US 17-92/SR 15/600 and Orange Avenue (SR 527) intersection operates effectively at all times with “green” timing more than adequate for all straight-thru traffic. However, at peak hours, the traffic engaged in the left turn movements from both sides of Orange Avenue (SR527) onto US 17-92/SR 15/600 cannot all clear the intersection due to insufficient stacking in the single turn lane configuration. Utilizing a combination of general fund and CRA revenue the City has planned a $415,000 intersection improvement project to add an additional turn lane on both legs of Orange Avenue (SR 527) along with a traffic signal upgrade which will improve the LOS for this intersection.

Sidewalk/Pedestrian Improvements

As a recurring annual expenditure, the City’s capital improvements plan reflects incremental pedestrian/sidewalk enhancements of the $50,000 annually. These projects include ramping of curbs, sidewalks repairs and sidewalk extensions to accomplish greater pedestrian and bicycle mobility and safety.
## Comprehensive Plan 2028

### Transportation

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Cost</th>
<th>Description</th>
<th>Funding Source</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
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<tbody>
<tr>
<td>Winter Park Amtrak Station</td>
<td>1,140,000</td>
<td>Construction of new Winter Park Amtrak Station, companion transit facilities, parking / drop off, restrooms</td>
<td>Federal Earmark</td>
<td>950,000</td>
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<tr>
<td>Fairbanks (SR 426) Pedestrian Improvements</td>
<td>1,000,000</td>
<td>Pedestrian improvements (Sidewalks / Street lighting) from Lakemont to US 17/92</td>
<td>20% Local Match (CRA)</td>
<td>190,000</td>
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<td>Fairbanks (SR 426) &amp; Orange (SR 527) Intersection Improvements</td>
<td>490,000</td>
<td>Pedestrian / Turn Lane Improvements</td>
<td>State Funded w/ LAP to City</td>
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<td>Denning Drive Traffic Signal Upgrades</td>
<td>125,000</td>
<td>New Traffic Signals, Pedestrian Crossings</td>
<td>Local CRA Funding</td>
<td></td>
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<td>West Fairbanks (SR 426) Improvements</td>
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<td>New Traffic Signals, Pedestrian Crossings / Medians</td>
<td>General Fund &amp; Assessments</td>
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<td>US 17-92 / SR 15/600 and Orange (SR 527) Intersection Improvement</td>
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<td>New Turn Lanes &amp; Traffic Signal Upgrade</td>
<td>General Fund</td>
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<td></td>
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<td>215,000</td>
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<td>Sidewalk / Bike paths</td>
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<td>Bus Transit Shelters</td>
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<td>New Bus Stop Transit Shelters</td>
<td>90% Lynx / Federal/State</td>
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<td>100,000</td>
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<tr>
<td>Interstate Four Expansion</td>
<td>$2 Billion</td>
<td>Widen to Six Lanes plus 2 HOV Lanes</td>
<td>Federal / State</td>
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<tr>
<td>Lee Road (423) Extension</td>
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<td>Extension of Lee Road to Webster Ave Elimination of Webster signal on 17-92</td>
<td>State / Local City Prop. Share</td>
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<tr>
<td>US 17-92 / SR 15/600 Improvement</td>
<td>TBD</td>
<td>Widen Sidewalks, Improve Two Lane Median, Close Private Driveways</td>
<td>State / Local City Prop. Share</td>
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<td></td>
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<tr>
<td>Aiona Ave (SR 527) Widening</td>
<td>TBD</td>
<td>Widen to Six Lanes from Lakemont to Seminole County</td>
<td>State / Local City Prop. Share</td>
<td></td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Outside of 5 year Plan

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

Policy 7-6.6: Orange County Public Schools 10-Year Capital Outlay Plan. The City of Winter Park hereby incorporates by reference the Orange County Public Schools 10-Year District Capital Outlay Plan (DCOP) for 2008-09 adopted by the School Board on September 8, 2009 October 1, 2008, that includes school capacity sufficient to meet anticipated student demands projected by OCPS.

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

CONCURRENcy MANAGEMENT SYSTEM

E. School Facilities. On December 8, 2008 By December 1, 2008, or pursuant to the schedule devised by the Florida Department of Community Affairs, the City shall executed an interlocal agreement with the Orange County School Board that shall includes the a means to implement school facility concurrency requirements. It includes At a minimum the following school facility standards shall be met to satisfy the school concurrency requirement:

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

2. For less than district-wide concurrency service areas: If public school concurrency is applied on less than a district-wide basis in the form of concurrency service areas, a residential development order or permit shall be issued only if the needed capacity for the particular service area is available in one or more contiguous service areas and school capacity is available district-wide as defined in Section 163.3180(13)(e), F.S.
SECTION 4. The effective date of this plan amendment which involves the adoption of an entire new Comprehensive Plan shall be the date a final order is issued by the Department of Community Affairs or Administrative Commission finding the amendment in compliance in accordance with Section 163.3184 (1) (b), F.S., whichever is applicable.

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 ______________ , 2009.

ATTEST:

________________________
City Clerk

________________________
Mayor
<table>
<thead>
<tr>
<th>Proposed Code #</th>
<th>Current Code (Regular &amp; Alternate Rules)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option #1:</strong> Side Set back plane (45° for lots over 60'-60&quot; for lots 60' or less in width)</td>
<td>Option Not available</td>
</tr>
<tr>
<td><strong>Option #2:</strong> Alternative to setback plane; Prescriptive rules limit building wall height on each floor or larger setbacks.</td>
<td>Not available</td>
</tr>
</tbody>
</table>
| **Rear Setbacks:** 25' to first floor to 35' second floor  
Lots 110' deep or less: 15' to 1st flr 25' to 2nd flr | Same | Not available |
| **Front Setbacks:** Average of adjacent two homes on both sides of lot on same side of the street (Simpler method) | Average in block or Subdivision |
| **Base Floor Area Ratios:** 31% for lots over 14,000 s.f.  
Lots under 12,000 s.f.: 36% FAR  
Lots between 12,000 s.f. and 4,000 s.f.: 36% up to 5,200 s.f. | Standard: FAR is 33% to 38% based on lot size  
Alternate: FAR is 38% to 43% based on lot size & larger setbacks |
| **Incentives** allow additional FAR up 38% & 43% based on 12 features: Side & Front wall articulation; 1 story only; Increased front setback; Option #2: Remodel existing home; Increased side setbacks; limit bldg ht to 25'; Place living area under sloping roof; limit impervious coverage to 40% | Not available |
| **Privacy view protection:** 5' extra setback at rear half of a corner lot on 2nd floor adjacent to a one story home or utilize landscaping | Not regulated |
| **Front Facing Garages:** must be set back 4' behind the front building wall. | Not regulated |
| **Double Garages (2 structures):** If placed in front of home, must have 5' of additional setback with front windows, landscaping, & limited entry drive width (16') from street. | Not regulated |
| **Garages:** When located in front of or within 20' of the main residence, must adhere to same required side yard setback as the residence. | Not regulated |
| **Building height:** 30' for lots up to 80' in width  
35' for lots over 80' in width  
2' of extra height for homes with roof slopes 8/12 or greater | Same as current alternate  
Same as current alternate  
Not allowed |
| **Attic area above a second story:** Habitable area allowed, must be under a sloping roof & counted in FAR. | Not regulated |
| **Accessory building in rear yard:** Exterior walls shall not exceed 10.5 ft in height measured from natural grade to the roof if located less than 10' from side lot line & gable end wall not allowed at 5' side setback. | Allows 12' side wall & gable end walls at 5' side setback |
| **Pervious coverage:** 50% of front yard must be pervious with landscaping material & no hard surface within that area. | Not regulated |
| **Ribbon driveways:** Required for rear entry garages. with turf or gravel infill for at least 50% of their length. | Overall maximum impervious lot coverage is 50%.  
Not regulated |
| **Parapets & wing walls:** may extend 12" above setback plane. | Regulated by wall height  
Not regulated |
| **Courtyard homes:** When over 75% of home surrounds an open space, 33% of the courtyard area is added to FAR. | Same |
| **Windsong & Waterbridge:** Optional use of new provisions | Same |

*Option #1 or #2 must be utilized without mixing options.  
# General overview only - See proposed document for details.
CITY OF WINTER PARK
Residential Zoning Code Revisions (9/25/09)

1. **Option #1:** Side setback plane (view line): At the required side setback* & at a height of 13' from natural grade provide a 45 degree (12/12 slope) setback plane (view line) away from property line for lots over 60 feet in width. For lots 60 feet or less in width provide a 60 degree (20/12 slope) side setback plane (view line). The setback plane cannot be penetrated by the building structure with exceptions for certain architectural features such as gable end walls up to 36 feet in width, chimneys, roof overhang, dormers (with maximum width of 12 feet) stepped back an additional 2.5 feet and maximum height of 25 feet from natural grade and specific architectural features such as a turret or stairwell occupying less than 5% of the area of one floor of the building. The gable end on the first or second floors may project vertically 10 feet into the setback plane (subject to not exceeding the allowable building height). For corner lots the street side setbacks are 20 feet to the first floor wall and 25 feet to the second floor wall for lots over 65 feet in width and 15 feet to both floor walls for lots 65 feet in width or less, and no setback plane is applied on the street side of the home.

*Use first floor setback of the table below:

<table>
<thead>
<tr>
<th>Lot type (width)</th>
<th>Villa 60’ or less</th>
<th>Cottage 60’+ to 80’</th>
<th>Manor 80’+ to 125’</th>
<th>Estate(1) 125’+ to 175’</th>
<th>Estate(2) 175’+</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor (ft)</td>
<td>7.5</td>
<td>10</td>
<td>10</td>
<td>15</td>
<td>20</td>
</tr>
</tbody>
</table>

The setback plane option reduces the mass and bulk of buildings as seen from the street and the sides of the property by requiring the building structure to be located further away from the side lot line with increases in height above the first floor of the home. Used in Naples, Sarasota, Austin, Palo Alto (also called a daylight plane or bulk plane).

2. **Option #2:** (No setback plane) Lots over 60 feet wide: At the required first floor side setback the maximum building height from natural grade to roof sheathing surface is 12 feet and the height may increase by one foot for each additional foot of setback until reaching the second floor side setback. The second story roof height from natural grade to roof sheathing surface is 23 feet at the 2nd floor setback with the ability to increase the height by one foot for each additional foot of setback until reaching the maximum allowable building height.

**Option 2A:** Lots 60 feet or less in width: The same height provisions apply as above (12 feet at 1st floor setback and 23 feet at 2nd floor setback) except the allowable increase in building height is 1.7 feet for each additional foot of setback at the first and second floor setbacks until reaching the maximum allowable building height.
Utilize the following setbacks for each floor:

<table>
<thead>
<tr>
<th>Lot type (width)</th>
<th>Villa 60' or less</th>
<th>Cottage 60'+ to 80'</th>
<th>Manor 80'+ to 125'</th>
<th>Estate(1) 125'+ to 175'</th>
<th>Estate(2) 175'+</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor (ft)</td>
<td>8</td>
<td>11</td>
<td>11</td>
<td>15</td>
<td>20</td>
</tr>
<tr>
<td>2nd Floor (ft)</td>
<td>12</td>
<td>16</td>
<td>20</td>
<td>25</td>
<td>30</td>
</tr>
</tbody>
</table>

For corner lots the street side setbacks are 15 feet to both floor walls for lots 65 feet in width or less, and 20 feet to the first floor wall and 25 feet to the second floor wall for lots over 65 feet in width.

**Option #2B** for lots 60 feet or less in width with rear yard garages or parking: Side setback shall be 11 feet to both floor walls on one side to allow driveway access and may be 7 feet on the other side with a 12 foot natural grade to roof sheathing surface height limit at the 1st floor setback and a 23 foot natural grade to roof sheathing surface height limit at the 2nd floor setback with the allowable increase in building height of 1.7 feet for each additional foot of setback at the first and second floor setbacks until reaching the maximum allowable building height.

Gable ends (for all buildings under option #2) at first and second floor side setbacks are limited to 36 feet in width. This includes corner lots at the street side setback where they may extend up to 10 feet above the allowable first and second floor “top of roof” heights subject to not exceeding the allowable building height for the lot.

This option allows a shorter than normal wall height on each floor to comply without use of the setback plane by employing prescriptive standard. Many new homes have tall floor to ceiling heights on both floors resulting in more exterior mass. The higher ceilings can still be used under this option but a greater side setback will be needed. The prescriptive provisions in Option 2 are an alternate to the setback plane (Option 1) for design options that fit better under option 2.

3. Utilize a base Floor Area Ratio of 31% for lots over 14,000 square feet and 36% for lots with 12,000 square feet and less. Provide an open front porch exclusion of 400 s.f.; and a rear porch & porte cochere exclusion of 500 s.f. For lot areas between 12,000 & 14,000 s.f. use a base floor area of 4,300 s.f. Incentives in table below may be applied to allow a maximum building area of up to 5,200 s.f. for lot areas between 12,000 & 14,000 s.f.

Adjusted to fit local setting from 35% to 45% in towns and villages throughout the U.S.; an exclusion for porches is used. FAR’s varies from 45% to 30% in Southern California towns, Carmel, Naples, Sarasota, Austin, Boulder and other similar locations.
4. Provide floor area ratio incentives as follows:

<table>
<thead>
<tr>
<th>INCENTIVE TYPES</th>
<th>AMOUNT OF ADDITIONAL F.A.R.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Max 38% - Lots over 14,000 s.f.)</td>
</tr>
<tr>
<td></td>
<td>(Max 43% - Lots 12,000 s.f. or less)</td>
</tr>
<tr>
<td>Lot areas between 12,000 &amp; 14,000 must use a base area of 4,300 s.f. and then apply % of incentive to lot area up to a max building area of 5,200 s.f.</td>
<td></td>
</tr>
<tr>
<td>Side wall articulation (both sides)</td>
<td>2% (1% for one side only)</td>
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<tr>
<td>Front wall articulation</td>
<td>2%</td>
</tr>
<tr>
<td>Increased side setbacks (Interior side only for corner lots)</td>
<td>3%</td>
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<tr>
<td>Increased front setback by 5 ft or more(^1)</td>
<td>2%</td>
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<tr>
<td>Using Option #2</td>
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<tr>
<td>Placement of Garage in rear (1/2) of lot</td>
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<tr>
<td>Maximum impervious coverage of 40%</td>
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</tr>
<tr>
<td>Placement of living area above 1(^{st}) floor under sloping roof</td>
<td>3%</td>
</tr>
<tr>
<td>Placement of living area above 2(^{nd}) floor under sloping roof</td>
<td>2%</td>
</tr>
<tr>
<td>Remodel existing home (30+ years old) or Historic home(^2)</td>
<td>2%</td>
</tr>
<tr>
<td>One story only(^3)</td>
<td>4%</td>
</tr>
<tr>
<td>Building height limited to 25'</td>
<td>3%</td>
</tr>
<tr>
<td>Achieving Gold or higher rating under National Green Building Standard (2008)</td>
<td>2%</td>
</tr>
</tbody>
</table>

*See table below

<table>
<thead>
<tr>
<th>Increased Setbacks</th>
<th>Villa 60’ or less</th>
<th>Cottage 60’+ to 80’</th>
<th>Manor 80’+to 125’</th>
<th>Estate(1) 125’+to 175’</th>
<th>Estate(2) 175’+</th>
</tr>
</thead>
<tbody>
<tr>
<td>1(^{st}) Floor (ft)</td>
<td>10</td>
<td>13</td>
<td>15</td>
<td>20</td>
<td>25</td>
</tr>
<tr>
<td>2(^{nd}) Floor (ft)</td>
<td>13</td>
<td>18</td>
<td>22</td>
<td>30</td>
<td>35</td>
</tr>
</tbody>
</table>

\(^1\)The 5 feet of increased front setback is measured from the required (established) front setback line.

\(^2\)Any demolition of the existing home must be less than 50% of the home.

\(^3\)Maximum building height is 24 feet; maximum side wall height is 12 feet; use option #1 for setbacks.

Note: If several incentives are employed, then the maximum allowed Floor Area Ratio (FAR) is limited to 38%, 43% or 5,200 square feet based on lot area, even if the incentives applied exceed those amounts.

Incentives allow use of greater floor area without sacrificing mass or other negative impacts of a new home in an existing neighborhood by requiring more stringent setbacks, wall height and articulation options that are tools in reducing scale or mass of buildings.

5. Side wall articulation (incentive): The side wall plane and side roof line (on both floors) of a home must have articulation when the side wall extends more than 36 feet by having a minimum inset or projection for the height of the wall and must extend a distance of at least 6 feet along the side property line. Projections from the side wall must meet the required side setback. For lots less than 80 feet in width the minimum inset or projection is 2 feet. For lots over 80 feet in width the minimum inset or projection is 3 feet. Other architectural features that project such as bay
windows may receive credit if they meet the criteria. To receive credit for this incentive both side walls of the home must meet the criteria. If only one side wall meets the criteria then the amount of incentive is reduced by 50%.

Utilizing a jogging wall plane 30 to 40 feet in length breaks up the mass of the building.

6. Front wall articulation (incentive): At least 40% of the front wall plane must be stepped back at least 5 4 feet beyond the main front wall of the home. Homes with front walls which are 30 feet in width or less with other elements of the home set back at least 4 feet behind the front wall may receive this front wall articulation incentive. Open front porches may project up to 5 feet into the required front setback with a maximum height of 12 feet from grade to soffit/eave, and those higher than 12 feet must meet the required front setback. Gable end walls on front porches may extend and additional height of 6 feet.

Additional step back of front wall plane prevents having tall buildings or elements near the street and thereby minimizing visual impact of mass.

7. Rear setbacks: Utilize the following setbacks for each floor measured to vertical wall surface or to column of porches:

<table>
<thead>
<tr>
<th>Lot Depth*</th>
<th>110’ or less</th>
<th>110’ or greater</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor wall</td>
<td>15’</td>
<td>25’</td>
</tr>
<tr>
<td>2nd Floor wall</td>
<td>25’</td>
<td>35’</td>
</tr>
</tbody>
</table>

*Measured from front lot line to rear lot line.

These larger setbacks (25’ and 35’ respectively) have been adequate for larger lots however, property owners with shorter lots have experienced difficulty in providing modest rear additions for older homes built under earlier editions of the zoning code, which allowed smaller rear setbacks in those neighborhoods. In recent years this has resulted in several variance requests on these shorter lots with no opposition from neighbors.

8. Front setback: Use average of adjacent 2 homes on each side of the subject property on the same side of street. If one of the 4 homes is set back 50% greater larger or 50% smaller than the other 3 homes, then drop that number from the average and use the 3 remaining homes to determine the average. If the adjacent lot is vacant then go to the next adjacent lot for the front setback comparison. If the subject lot is a corner lot or one lot away from a corner, then use the adjacent 3 homes. In cases where the average front setback is less than 20 feet, the minimum front setback to a garage opening is 20 feet. An open front porch may project 5 feet into the required front or street side yard setback. For lots with front lot lines that are not generally perpendicular to the side lot lines and create a projection out on one side of the lot, the front setback shall be applied at the non-projecting side of the lot and shall be extended across the lot perpendicular to the side lot line.

Used in Austin successfully. Simplifies the method of measurement and results in having the new home to be in scale with the nearest homes on the block.

9. Bldg height: For roof slopes 8/12 or greater allow 2’ of extra height, otherwise 30 ft is max height for lots up to 80 ft wide; 35 feet for lots 80 feet and wider; 40 feet for lots exceeding 50,000 square feet in size with at least 100 feet width at the building line if the side setbacks are increased to 35 feet measured to the two-story roof component of the building over 30 feet in height (currently in effect also). Building
height is measured from the pre-existing natural grade to the highest point of the roof.

Provides an incentive for steeper roofs resulting in having less bulk for most home designs. Most towns measure height to the average of the roof slope or halfway up the roof which effectively results in a height allowance of 32 to 35 feet for homes with a 30 height limit. The resulting negative impact of height measurement to ridge (only) is to flatten the roof creating the appearance of greater mass. Lots that lack depth (125' or less) often result in having the home closer to the street, thereby creating the need to limit the building height to 30 feet for shallow lots.

10. Attic area above second floor: Within a sloping roof and within the allowed building height, air conditioned and finished space may be created above the second floor and will count as gross floor area to be used in calculating the floor area ratio. Allows a habitable use of attic area within the building envelop that has no negative impact on overall mass of the home.

11. Front yards: At least 50% must be pervious surface with landscaping material and no hard surfaces, such as concrete, asphalt, brick or pavers including driveway and walking surfaces within the pervious area. Overall 50% impervious coverage for lot remains.

Addresses overuse of hard surfaces in front yard.

12. Driveways: All driveways for to rear yard entry garages must be ribbon drives with turf or approved gravel infill for at least 50% of their length. The turf or gravel area must be at least 3 feet in width.

Creates more green or non-paved area and less impervious area along side yards.

13. Privacy view protection: For corner lot two story homes with a side yard adjacent to an existing one story home, provide an additional second floor setback of 5 feet in the rear half of lot. Balconies overlooking the adjacent one story home shall be decorative nonfunctional with no access from the new home. only in this area. This requirement may be omitted with a letter of approval from the adjacent property owner subject to providing an additional landscaping buffer to act as a privacy barrier. Details of the proposed landscaping barrier must be presented and approved with the building permit review of the plans.

Addresses complaints of losing privacy from new 2nd floor home overlooking rear yard of existing one story homes.

14. Accessory buildings in rear yards: The exterior walls shall not exceed 10.5 ft in height measured from natural grade to the roof sheathing surface unless placed at the same setback as required for the home. Additionally, accessory buildings located less than 10 feet from an interior side lot line must have a sloped or flat roof, eg: the side wall adjacent to the lot line cannot be a gable end wall.

Addresses concerns from tall accessory buildings only 5 feet from side lot line.

15. In order to exclude open front porches or porte cochere from the floor area ratio, the exterior sides of these building elements must be approximately 80% open. Having an openness criteria prevents partially enclosing these spaces which visually adds to the mass of the building.
16. Parapets and wing walls may extend up to 12 inches above the setback plane under option #1 and may extend up to 18 inches above the permitted first floor wall height in option #2 within the setback established for the second floor wall.

17. In courtyard homes, 33% of the courtyard area shall be included as part of the gross area of the home for the purpose of computing the allowable floor area ratio. Homes with a courtyard area of 250 square feet or less are exempt from this requirement.
Definition: Courtyard home shall mean a home with an open space surrounded by at least 75% of the home and excluding motorcourts or other courtyards that open to a street.

Addresses creating a large courtyard home built at the outer boundaries of the setbacks so as to give the appearance of a much larger scale home on a residential property.

18. Any air conditioning unit placed on a roof must be screened from view from surrounding properties and the public street.

19. For lots with a front to rear sloping topography, an average height may be utilized in either option 1 or 2. For example, under option 1 if the grade of the lot drops 2 feet from the front of the home to the rear at the side setback, the setback plane height at the front will be 12 feet and will be 14 feet at the rear of the building. Similarly, with option 2, if the lot grade drops 2 feet, then the natural grade to roof height will be 11 feet at the front and 13 feet at the rear of the home.
GARAGES & CARPORTS

1. Front facing garages must be set back at least 4 feet behind the front building wall. In cases where the front setback is permitted to be less than 20 feet, the minimum front setback to the garage opening shall be at least 20 feet after complying with the 4 foot minimum step back behind the front building wall. Provides architectural setback for front garages. Additional setback for front garages.

2. Detached garages located in front of or within 20 feet behind the front wall of home must adhere to the same required side yard setback as the main residence. Addresses the appearance from street that the mass of the entire home (behind or next to the garage) extends across the lot to within 5 feet of the side lot line when detached garages are placed in or near the front of a home.

3. Two garages in front of a home.
   (1) Provide an additional 5 feet of front setback to garage wall,
   (2) Entry drive width is limited to 16 feet from the front lot line to the front wall of the garages,
   (3) Provide windows or similar architectural features in garage wall facing street.
   (4) Provide landscaping to buffer 20% of side wall of garage including one or more understory or shade trees in front of each garage wall facing the street. Show details of proposed landscaping on plans.

   These provisions are intended to reduce the impact of garages placed in front of homes as viewed from the street.

4. Porte cochere. The roof height of a porte cochere in front of a home must not exceed 14 feet unless located behind the front setback by 5 feet or more. A porte cochere attached to the side of a home may utilize a side yard setback of 5 feet from an interior side lot line subject to having three sides of the structure at least 80% open and subject to a maximum height of 13 feet from natural grade to roof top.

   Definition: Porte cochere shall mean a roofed structure attached to a home over an adjacent driveway for the purpose of sheltering persons getting in or out of vehicles.
ORDINANCE NO. __________


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

SECTION 1. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by amending Section 58-65 "Lakefront (R-1AAA) District" to read as follows:

Sec. 58-65. R-1AAA Lakefront District

Sec. 58-65. R-1AAA lakefront district.

(a) Purpose and intent. This district is established within the city to provide areas for single family dwellings and necessary accessory buildings that minimize impacts on the lakes, which are among the city's greatest assets. The regulations enumerated for this district are designed to promote the construction of and continued use of land for a single family dwelling and to provide as conditional uses certain structures and uses required to serve the residents, such as churches and noncommercial recreational area. Prohibited are uses of the land that would overburden public facilities or create impacts to adjacent lakes; thus, diminishing their water quality and aesthetic appeal. Areas zoned R-1AAA shall be those existing low-density residential areas adjacent to lakes or other water bodies, plus certain undeveloped areas whose development in a manner prescribed by this district would fulfill the intent of the comprehensive plan.

(b) Permitted uses. Detached single family dwellings.

(c) Accessory uses permitted. Accessory buildings including private garages to serve the residences, accessory living quarters which contain no cooking facilities, a recreation room, guest house, greenhouse, dock boathouse, swimming pools, spas. Stormwater retention facilities servicing exclusively uses permitted in this district. In addition, for properties which contain a residence that is 5,000 square feet in gross floor area or larger, a second kitchen may be included in a dwelling or cabana subject to not having a separate utility meter and
not allowing this portion of the dwelling to be rented, let or hired out for occupancy whether compensations be paid directly or indirectly and subject to executing a deed restriction which outlines the above restrictions. That deed restriction shall be recorded prior to the issuance of the building permit and shall be removed only with the consent of the city.

(d) Conditional uses. The following uses may be permitted within this district only after review by the planning and zoning commission and approval by the city commission in accordance with provisions of this article.

(1) Churches or similar places of worship with necessary accessory structures, but not including mission or revival tents. Churches may not operate day nurseries or kindergartens without first receiving conditional use approval for this use.

(2) Public parks, playgrounds, playing fields and neighborhood municipal recreation buildings and uses in keeping with the character and requirements of the district.

(3) Libraries, community centers and other public buildings.

(4) Tennis courts.

(e) Minimum building site.

(1) The minimum lot area for the R-1AAA lakefront district shall be 25,000 square feet with a minimum width at the building line, which is the front setback line of the main residence of 150 feet and a minimum frontage at the street and at the lake of 150 feet.

(2) The creation of new lakefront "flag" lots within this district shall be prohibited. Flag lots are any lot with dimensions at the street less than would exist at the building line front setback for the main residence.

(f) Site and building improvement regulations.

(1) Floor area ratio.

a. Limitations on allowable floor area are established for the following purposes:
   1. To provide adequate living space for single family dwellings;
   2. To assure that the overall bulk and mass of all buildings on each site will be harmoniously related to the size of the building sites on which they are constructed;
   3. To prevent out-of-scale developments that are inconsistent with the preservation of neighborhood character and open space.

b. Buildings and accessory structures constructed in the single family zoning this districts on properties up to 41,600 12,000 square feet in size shall not exceed utilize a base floor area ratio of 38 36 percent with the ability to utilize a maximum floor area ratio of up to 43% by applying incentives as delineated in Table __. Buildings and accessory structures constructed on properties with an area of 41,600 12,000 square feet up to 14,000 square feet to 13,600 square feet in size shall not exceed more than shall utilize a base floor area of 4,300 4,500 square feet in floor area for total structures on the property with the ability to utilize a maximum floor area of up to 5,200 square feet by applying incentives as delineated in Table __. Buildings and accessory structures on properties exceeding 13,600 14,000 square feet in size shall not exceed utilize a base floor area ratio of 38 31 percent with the ability to utilize a maximum floor area ratio of up to 38% by applying incentives as delineated in Table __ not exceed a floor area ratio of 33 percent.

c. Floor area 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. Basement areas or other below grade floor areas are excluded 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 area
within carports, screened or roofed porches and balconies shall be counted, except any areas permitted to be excluded in this Article under special conditions.
d. The area of screen pool enclosures shall not be counted in the floor area ratio. However, the area within screen pool enclosures shall not exceed eight percent of the lot area unless approved by the planning and zoning commission. Properties may exceed the eight percent limitation for screen pool enclosures without planning and zoning commission approval provided the total area of all structures, including screen pool enclosures, does not exceed the combination of the permitted floor area ratio and the eight percent of lot area. This approval shall insure that the screen enclosure and pool equipment is adequately set back, adequately buffered by landscaping, sufficiently designed to accommodate onsite retention, and appropriate in size and scale so as to negate any detriment to adjacent properties.
e. Floor area ratio on lakefront lots shall only be computed using the site area used for the building. Land area located across a street and separated from the building site shall not be included in the available land area calculation.
f. The gross floor area of a single family building shall include the area of stairways, elevators, atriums, and volume ceiling spaces on each floor level, when such height would permit a floor level to exist with seven and one-half feet clearance. This is deemed to occur when the interior floor to ceiling height exceeds 17 1/2 feet.
g. The area within an open street front porch and entry shall not be included within the "gross floor area." This exclusion shall be limited to a maximum area of 400 520 square feet. The area on the first floor within an open or screened rear or open side porch, lanai, porte cochere or other covered area shall not be included within the "gross floor area." This exclusion shall be limited to a maximum area of 500 990 square feet. On the second floor, rear or side porches must have exterior sides that are 90 percent open in order to utilize up to 300 square feet of the total allowable 500 990 square feet of excludable gross floor area. Properties utilizing this exemption shall record a deed covenant outlining the restrictions precluding the screening or enclosing of such porch or entry.

h. In courtyard homes, 33% of the courtyard area shall be included as part of the gross area of the home for the purpose of computing the allowable floor area ratio. Homes with a courtyard area of 250 square feet or less are exempt from this requirement. Courtyard home shall mean a home with an open space surrounded by at least 75% of the home and excluding motor courts or other courtyards that open to a street.

(2) Impervious lot or site coverage.
a. Limitations on allowable impervious lot or site coverage are established for the following purposes:
1. To provide sufficient area on each building site for landscaping and open space;
2. To protect existing vegetation including trees;
3. To assure adequate percolation of rainfall into the soil thereby avoiding excessive erosion or runoff of water onto neighboring properties and promoting aquifer recharge.
b. Buildings, accessory structures, patios, decks, drives and other impervious surfaces shall not cover more than 50 percent of the total land area of the lot and at least 50 percent of the front yard area must consist of pervious surfaces with landscaping material. Hard surfaces such as concrete, asphalt, brick, pavers or similar materials (including driveways and walkways) may cover a maximum of 50% of the front yard area. The front yard area includes that area between the front lot line and the front wall(s) or front porch of the home.
c. Impervious lot or site coverage shall be defined as the percentage of the lot land area that is covered with impervious materials such as buildings, swimming pools, decks, patios, driveways, etc. Standard engineering coefficients of permeability may be utilized for mixed surfaces.

d. On lakefront lots, land located across a street and separated from the building site shall not be included in the available land area calculation.

(3) Building height.

a. Limitations on the maximum allowable height of structures are established for the following purposes:

1. To protect the value and enjoyment of neighboring properties by avoiding excessively massive buildings or buildings which dominate over neighborhood structures;

2. To preserve reasonable access to light, air and privacy for all properties;

3. To prevent the inequitable loss of private views or the unreasonable interference with significant public views resulting from excessively tall or poorly planned structures.

b. Height limits. The following limits shall apply to all height determinations in residential districts:

1. No building shall have more than two stories. Attic area above the second floor within a sloping roof and within the allowed building height, may be air conditioned and finished space and must be included in the gross floor area to be used in calculating the floor area ratio.

2. No building or portion thereof shall exceed 30 feet in height. Exception: homes with a roof slope of 8:12 or greater may be permitted to have 2 feet of addition height.
c. Building height shall be defined as the vertical distance measured from the average elevation of the existing lot grade at the front of the building.

d. Properties or lots exceeding 10,000 square feet with at least 90 feet of width at the building line are permitted building heights of 35 feet if the side setbacks are increased to 20 feet. Exception: homes with a roof slope of 8:12 or greater may be permitted to have 2 feet of addition height.

e. Properties or lots exceeding 50,000 square feet in size with at least 100 feet width at the building line may be permitted building heights of 40 feet if side setbacks are increased to 35 feet.

f. The special side setbacks referenced above shall be measured to the two-story roof component of the building over 30 feet in height.

4) *Setbacks.*

a. Minimum setback standards are established for the following purposes:
   1. To provide open space on each building site;
   2. To assure a harmonious relationship of buildings on each site to the public right-of-way;
   3. To protect access within building sites for emergency exiting and fire protection access;
   4. To protect trees by providing greater area for them.

b. Effect of setback standards. Setback standards define a yard area on the building site that is parallel and adjacent to the property line from which the setback is measured. Setbacks shall be maintained at not less than the minimum width specified by the setback standard. This minimum yard area shall be maintained as unoccupied space and shall be kept open and unobstructed from the ground upward along its full length and width. Required yard dimensions shall be measured between the property line of the building and that part of any structure or improvement nearest to the property line.

c. Second story setbacks. For the purposes of determining required setbacks, a building wall that exceeds 12 feet in height above natural grade shall be located on a lot so as to be in compliance with the setback requirements for the two-story portion of the building. In the case of a gable end or similar walls, the height shall be measured from the grade to the top
plate at the bottom of the gable.

(5) Front yard setbacks.

a. The front setback shall be the average front setback established within the subdivision or block (measured on the same side of the street as the property on which a building or addition is proposed) when a front setback has been established by the construction of homes on more than 50 percent of the lots within the subdivision or block. In the case of a property being redeveloped by demolition of the existing home, the front setback may be determined by utilizing the average front setback in the block or the front setback of the home being demolished if that setback does not result in the new home being located more than five feet in front of the average front setback line, and the new home is limited to one-story in front of the average front setback. In the case where there are no adjacent residences on the same street frontage, then the front setback of the home being demolished may apply. The front setback shall be the average of the adjacent 2 homes on each side of the subject property on the same side of street. If one of the 4 homes is setback 50 percent greater or 50 percent smaller than the other 3 homes, then drop that larger or smaller setback number from the average and use the 3 remaining homes to determine the average. If the adjacent lot is vacant, then go to the next adjacent home for the front setback comparison. If the subject lot is a corner lot or one lot away from a corner, then use the adjacent 3 homes.

![Front Setback Determination Diagram]

b. The front setback shall be 25 feet when an average front setback has not been established as described above.

c. For houses which desire to construct an open front porch or entry, the front setbacks established above may be reduced by up to five feet in order to permit the addition of an open front porch or entry. Properties utilizing this exemption shall record a deed covenant outlining the restrictions precluding the screening or enclosing of such porch or entry.
d. For houses which desire to construct an open front or street side yard porch or entry, the front setbacks established above and the street side yard setback on corner lots may be reduced by up to five feet in order to permit the addition of an open front porch or entry. Properties utilizing this exemption shall record a deed covenant outlining the restrictions precluding the screening or enclosing of such porch or entry. Open front porches utilizing this front setback exception shall have a maximum height of 12 feet from grade to soffit/eave, and gable end walls on these porches may extend an additional height of 6 feet. In order to exclude open front porches or porte cocheres from the floor area ratio, the exterior sides of these building elements must be approximately 80% open.

e. Notwithstanding the required or established front setback for a residence, no garage or carport shall be located so as to provide a front setback or street side yard setback of less than 20 feet to the garage or carport opening.

(6) Side yard setbacks and the Setback Plane

a. The side setback shall be seven and one-half feet to the one-story portion of buildings on lots 60 feet or less in width at the building line.

b. The side setback shall be ten feet to the one-story portion of buildings on lots greater than 60 feet in width at the building line.

c. The side setback shall be ten feet to the two-story portion of buildings on lots 60 feet or less in width at the building line.

d. The side setback shall be 12 1/2 feet to the two-story portion of buildings on lots greater than 60 feet in width.

a. General: For determination of the side yard setback one of two options may be used for the development or re-development of a home or for additions onto an existing home. After using one of side yard setback options further additions or remodeling of the home must be consistent with the option utilized. The mixing of the two options is not permitted unless the requirements of both options can be met simultaneously.

b. Setback Plane Option:

To determine the permitted location of allowed new construction [including addition(s)], for lots over 60 feet in width provide a side setback plane which is located at the required side setback (see table* below) and begins at a height of 13 feet from natural grade and continues at a 45 degree (12/12 slope) plane away from side lot line toward the interior of the lot until reaching the permitted building height. For lots 60 feet or less in width provide a 60 degree (20/12 slope) side setback plane in a similar manner as described above. The setback plane cannot be penetrated by the building structure except for the following:

- gable end walls up to 36 feet in width,
- chimneys,
- roof overhangs,
- dormers with a maximum width of 12 feet and stepped back an additional 2.5 feet and having maximum height of 25 feet from natural grade,
- turrets or stairwell enclosures occupying less than 5% of the area of one floor of the building.
- and parapets and wing walls may extend 12 inches above the setback plane.
A gable end on the first or second floors may project vertically 10 feet into the setback plane and must not exceed the allowable building height.

*Use the first floor setback in the table below:

<table>
<thead>
<tr>
<th>Lot type (width)</th>
<th>Villa 60’ or less</th>
<th>Cottage 60’+ to 80’</th>
<th>Manor 80’+to 125’</th>
<th>Estate(1) 125’+to 175’</th>
<th>Estate(2) 175’+</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor (ft)</td>
<td>7.5</td>
<td>10</td>
<td>10</td>
<td>15</td>
<td>20</td>
</tr>
</tbody>
</table>
c. Non-setback plane option:

To determine the permitted location of allowed new construction [including addition(s)], for lots over 60 feet in width at the required first floor side setback (see table* below) provide a maximum building height of 12 feet from natural grade to top of roof sheathing surface and the height may increase by one foot for each additional foot of setback until reaching the second floor side setback. The second story roof height from natural grade to top of roof sheathing surface shall be 23 feet at the second floor setback (see table* below) and may increase by one foot for each additional foot of side setback until reaching the maximum allowable building height.

For lots 60 feet or less in width utilize the same height provisions except the natural grade to top of roof sheathing surface height may increase in building height at 1.7 feet for each additional foot of setback at the required first and second floor setbacks until reaching the maximum allowable building height.

*Utilize the following setbacks for each floor:

<table>
<thead>
<tr>
<th>Lot type (width)</th>
<th>Villa 60' or less</th>
<th>Cottage 60'+ to 80'</th>
<th>Manor 80'+ to 125'</th>
<th>Estate(1) 125'+ to 175'</th>
<th>Estate(2) 175'+</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor (ft)</td>
<td>8</td>
<td>11</td>
<td>11</td>
<td>15</td>
<td>20</td>
</tr>
<tr>
<td>2nd Floor (ft)</td>
<td>12</td>
<td>16</td>
<td>20</td>
<td>25</td>
<td>30</td>
</tr>
</tbody>
</table>

Parapets and wing walls may extend up to 18 inches above the permitted first floor wall height within the setback established for the second floor wall.
d. Special option for narrow lots with rear garages:

For lots 60 feet or less in width with rear yard garages or parking: Provide a side setback of 11 feet on one side to allow driveway access and provide a minimum setback of 7 feet on the other side with a maximum 12 foot wall height from natural grade to roof sheathing surface at the 1st floor setback and a 23 foot natural grade to roof sheathing surface height limit at the 2nd floor setback. The allowable increase in building height is 1.7 feet for each additional foot of setback at the first and second floor setbacks until reaching the maximum allowable building height.

e. Gable ends are limited to 36 feet in width for all buildings not using the setback plane option at first and second floor side setbacks. This includes corner lots at the street side setback where they may extend up to 10 feet above the allowable first and second floor natural grade to roof sheathing surface height and shall not exceed the allowable building height for the lot.

f. For lots with a front to rear sloping topography, an average height may be utilized in either option (setback plane or non-setback plane). For example, under the setback plane option if the grade of the lot drops 2 feet from the front of the home to the rear at the side setback, the setback plane starting height at the front will be 12 feet and will be 14 feet at the rear of the building. Similarly, with non-setback plane option, if the lot grade drops 2 feet, then the natural grade to roof height will be 11 feet at the front and 13 feet at the rear of the home.
(7) **Rear yard setbacks.** The rear setback shall be 25 feet to a one-story structure and 35 feet to the two-story portion of any building. Swimming pools and tennis courts may utilize a ten-foot rear setback. The rear setback may be reduced to 25 feet from 35 feet for two-story components when those consist of a second story loft or mezzanine that is within the normal scale and height (not to exceed 18 feet) of a typical one-story structure.

Utilize the following setbacks for each floor measured to vertical wall surface or to the columns of porches:

<table>
<thead>
<tr>
<th>Lot Depth*</th>
<th>110’ or less</th>
<th>110’ or greater</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor wall</td>
<td>15’</td>
<td>25’</td>
</tr>
<tr>
<td>2nd Floor wall</td>
<td>25’</td>
<td>35’</td>
</tr>
</tbody>
</table>

*Measured from front lot line to rear lot line.

The rear setback may be reduced to ten feet when the rear yard of the residential property abuts non-residentially zoned property or property zoned R-3 or R-4.

(8) **Floor area ratio incentives**

Additional allowable floor area may be achieved by utilizing one or more incentives subject to not exceeding the maximum allowable floor area ratio or floor area describe in table below:

<table>
<thead>
<tr>
<th>INCENTIVE TYPES</th>
<th>AMOUNT OF ADDITIONAL Floor Area Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side wall articulation (both sides)</td>
<td>2% (1% for one side only)</td>
</tr>
<tr>
<td>Front wall articulation</td>
<td>2%</td>
</tr>
<tr>
<td>Increased side setbacks* (Interior side only for corner lots)</td>
<td>3%</td>
</tr>
<tr>
<td>Increased front setback by 5 ft or more</td>
<td>2%</td>
</tr>
<tr>
<td>Using Option #2</td>
<td>1%</td>
</tr>
<tr>
<td>Placement of Garage in rear ½ of lot</td>
<td>1%</td>
</tr>
<tr>
<td>Maximum impervious coverage of 40%</td>
<td>1%</td>
</tr>
<tr>
<td>Placement of living area above 1st floor under sloping roof</td>
<td>3%</td>
</tr>
<tr>
<td>Placement of living area above 2nd floor under sloping roof</td>
<td>2%</td>
</tr>
<tr>
<td>Remodel existing home (30+ years old) or Historic home²</td>
<td>2%</td>
</tr>
<tr>
<td>One story only³</td>
<td>4%</td>
</tr>
<tr>
<td>Building height limited to 25’</td>
<td>3%</td>
</tr>
<tr>
<td>Achieving Gold or higher rating under National Green Building Standard (2008)</td>
<td>2%</td>
</tr>
</tbody>
</table>

*See table below*
<table>
<thead>
<tr>
<th>Increased Setbacks</th>
<th>Villa 60' or less</th>
<th>Cottage 60'+ to 80'</th>
<th>Manor 80'+ to 125'</th>
<th>Estate(1) 125'+ to 175'</th>
<th>Estate(2) 175'+</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st Floor (ft)</td>
<td>10</td>
<td>13</td>
<td>15</td>
<td>20</td>
<td>25</td>
</tr>
<tr>
<td>2nd Floor (ft)</td>
<td>13</td>
<td>18</td>
<td>22</td>
<td>30</td>
<td>35</td>
</tr>
</tbody>
</table>

1 The 5 feet of increased front setback is measured from the required (established) front setback line.
2 Any demolition of the existing home must be less than 50% of the home.
3 Maximum building height is 24 feet; maximum side wall height is 12 feet; use option #1 for setbacks.

Note: If several incentives are employed, then the maximum allowed Floor Area Ratio (FAR) is limited to 38%, 43% or 5,200 square feet based on lot area, even if the incentives applied exceed those amounts.

Side wall articulation (incentive): This incentive may be applied when the side wall plane and side roof line (on both floors) of a home have articulation when the side wall extends more than 36 feet by having a minimum inset or projection for the height of the wall and must extend a distance of at least 6 feet along the side property line. Projections from the side wall must meet the required side setback. For lots less than 80 feet in width the minimum inset or projection is 2 feet. For lots over 80 feet in width the minimum inset or projection is 3 feet. Other architectural features that project such as bay windows may receive credit if they meet the criteria. To receive credit for this incentive both side walls of the home must meet the criteria. If only one side wall meets the criteria then the amount of incentive is reduced by 50%.

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**Side Wall Articulation**

- 6’ min. length
- 2-3’ min. inset
- 36’ max. length

**Break-up building along side setback**

Front wall articulation (incentive): This incentive may be applied when at least 40% of the front wall plane is stepped back at least 4 feet beyond the main front wall of the
home. Homes with front walls which are 30 feet in width or less with other elements of the home set back at least 4 feet behind the front wall may receive this front wall articulation incentive also.

(9) Special setback situations.
   a. Special setbacks exist for corner lots and through lots that may impose more restrictive setbacks for principal and accessory structures, garages, swimming pools and other improvements. For corner lots the street side setbacks are 20 feet to the first floor wall and 25 feet to the second floor wall for lots over 65 feet in width and 15 feet to both floor walls for lots 65 feet in width or less, and no setback plane is required to be applied on the street side of the home when utilizing the setback plane option.

b. Flag lots shall observe a 20-foot setback from the property side parallel to the street on the side closest to the street.

c. Any residential construction on lots within 200 feet of the lake's edge or with canal frontage shall have the approval of the planning and zoning commission. The setback from the lake's edge for structures other than boathouses, docks, gazebos, or retaining walls shall be the average established by the adjacent lakefront properties within 200 feet of the subject property, or 50 feet, whichever is greater. The planning and zoning commission shall have the authority to approve lakefront and canal front setbacks less than the average to a minimum of 50 feet in accordance with their lakefront review authority.

(10) Privacy view protection: For two story homes on corner lots with a side yard adjacent to an existing one story home, an additional second floor setback of 5 feet in the rear half of lot must be provided. Balconies overlooking the adjacent one story home shall be non-functional with no access from the new home. This requirement may be omitted with a letter of approval from the adjacent property owner subject to providing an additional landscaping buffer to act as a privacy barrier. Details of the proposed landscaping barrier must be presented and approved during the building permit review of the plans.

(11) Driveways to rear yard parking or garages must be ribbon drives with turf or approved gravel infill for at least 50% of their length. The turf or gravel area must be at least 3 feet in width.
(12) Garages and Carports:

a. Front facing garages must be set back at least 4 feet behind the front building wall. In cases where the front setback is permitted to be less than 20 feet, the minimum front setback to the garage opening shall be at least 20 feet after complying with the 4 foot minimum step back behind the front building wall.

b. Detached garages located in front of or within 20 feet behind the front wall of a home must adhere to the same required side yard setback as the main residence.

c. Two garages in front of a home.
   (1) An additional 5 feet of front setback shall be required.
   (2) The entry drive width is limited to 16 feet from the front lot line to the front wall of the garages.
   (3) Windows or similar architectural features shall be provided in the garage wall facing street.
   (4) Landscaping shall be provided to buffer 20% of side wall of the garages including one or more understory or shade trees in front of each garage wall facing the street. Specific details of proposed landscaping shall be shown on building plans.

d. Porte cochere. The roof height of a porte cochere in front of a home must not exceed 14 feet unless located behind the front setback by 5 feet or more. A porte cochere attached to the side of a home may utilize a side yard setback of 5 feet from an interior side lot line subject to having three sides of the structure at least 80% open and subject to a maximum height of 13 feet from natural grade to roof top. Definition: Porte cochere shall mean a structure attached to a home
with a roof over an adjacent driveway for the purpose of sheltering persons while entering or leaving a vehicle.

d. In order to allow an additional five percent increase in the allowable floor area ratio as described in subsection (f)(1) "floor area ratio", the following standards addressing second floor setbacks must be met:

TABLE INSET:

<table>
<thead>
<tr>
<th>Single Family Lot Types #</th>
<th>Villa</th>
<th>Cottage</th>
<th>Manor</th>
<th>Estate 1</th>
<th>Estate 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot width at front setback</td>
<td>&lt;= 60'</td>
<td>&gt;60' to 80'</td>
<td>&gt;80' to 125'</td>
<td>&gt;125' to 175'</td>
<td>&gt;175'</td>
</tr>
<tr>
<td></td>
<td>7.5' 1st-fir wall</td>
<td>10.1st-fir wall</td>
<td>15' 1st-fir wall</td>
<td>20' 1st-fir wall</td>
<td>25' 1st-fir wall</td>
</tr>
<tr>
<td>Side Setback Architectural Exception Setback</td>
<td>12.5' 2nd-fir wall</td>
<td>15.2nd-fir wall</td>
<td>17.5' 2nd-fir wall</td>
<td>20' 2nd-fir wall</td>
<td>25' 2nd-fir wall</td>
</tr>
<tr>
<td></td>
<td>10'</td>
<td>12.5'</td>
<td>12.5'</td>
<td>20'</td>
<td>22.5'</td>
</tr>
<tr>
<td>Maximum building height</td>
<td>30'</td>
<td>30'</td>
<td>35'</td>
<td>40' *</td>
<td>40' *</td>
</tr>
<tr>
<td>Rear yard setback</td>
<td>25' 1st-fir wall</td>
<td>25' 1st-fir wall</td>
<td>25' 1st-fir wall</td>
<td>25' 1st-fir wall</td>
<td>30' 1st-fir wall</td>
</tr>
<tr>
<td></td>
<td>35' 2nd-fir wall</td>
<td>35' 2nd-fir wall</td>
<td>35' 2nd-fir wall</td>
<td>35' 2nd-fir wall</td>
<td>40' 2nd-fir wall</td>
</tr>
</tbody>
</table>

# Homes which qualify for the five percent floor area ratio increase under this table of increased second-floor setbacks shall use a maximum floor area of 5,200 square feet on lots with areas of 11,600 square feet to 13,600 square feet.

* Subject to a minimum lot size greater than 50,000 square feet and providing a side setback of 35' to the portion of roof exceeding a height of 30'.

Corner lots may utilize the five percent floor area ratio increase by meeting the required second floor setback on the interior side of the lot only.

Architectural exception: Gable roofs and other architectural elements, for example chimneys, turrets, stair towers, dormers etc., shall be entitled to special setbacks and are hereinafter called the "architectural exception". The "architectural exception" elements shall not be more than 20 feet zero inches in height and may encroach into the required second floor setback and be located as established in the table with the following conditions: (1) They shall be set back at least five feet zero inches from the front yard setback line; and (2) no individual gable roof or architectural element shall exceed 24 feet zero inches in width; and the maximum cumulative width of all "architectural exception" encroachments on any one side or rear setback shall not exceed 40 feet.

Bonus room allowance: Attic rooms above a one-story portion of a home and located under a sloping roof may be used as an occupiable bonus room if the remainder of the home complies with the second floor setback as outlined in the table and the floor area in the bonus room is included in the calculation of the additional five percent floor area ratio.
increase, and even though the second floor setback to the second floor wall within the
bonus room does not meet the required second floor setback.
All other site and building regulations not specifically addressed in this paragraph shall
apply, such as but not limited to impervious coverage, corner lot setbacks, accessory
building setbacks, etc.
(9) One-story dwelling provisions. Homes limited to one story with a maximum building
height of 25 feet may utilize an additional five percent increase in the allowable floor area
ratio as required in subsection 58-66(f)(1) and a maximum impervious coverage of 60
percent subject to other limitations as provided in subsection 58-66(f)(2). These one-story
homes which qualify for the five percent floor area ratio increase shall use a maximum floor
area of 5,200 square feet on lots with areas of 11,600 square feet to 13,600 square feet.

(g) Nonconforming lots. Lots of record that have widths at the building line or frontages at
the street or lake, or lot areas less than that required by this R-1AAA district shall also
observe the following provision, in addition to those defined elsewhere in this article.
(1) When two or more adjoining lots of record with continuous frontage are in a single
ownership on or any time after January 23, 1979, and such adjoining lots have a width at
the building line or frontage at the street or lot areas less than is required by this R-1AAA
district in which they are located, such lots shall be considered as one tract so as to create
one or more lots which conform to, or more closely conform to the building line, frontage
and area requirements of this district.
(2) Any single lot of record on January 23, 1979, may be used for a single family dwelling,
provided it has a minimum width at the building line of at least 50 feet. However, such a lot
must not have been of continuous frontage with other lots in the same ownership on or at

SECTION 2. That Chapter 58 "Land Development Code", Article III "Zoning" of the
Code of Ordinances is hereby amended and modified by amending Section 58-66 "R-1AA
and R-1A districts" to read as follows:

Sec. 58-66. R-1AA and R-1A districts.
(a) Purpose and intent. These districts are established within the city to provide areas
for single family dwellings and necessary accessory buildings. The regulations
enumerated for this district are designed to encourage and promote the construction of
and the continued use of the land for single family dwellings, to promote and encourage
a suitable environment for family life, to prohibit uses of the land which would
substantially interfere with development or continuation of single family dwellings in the
districts, and to prevent use of the land for purposes which would overburden the public
facilities. Permitted as conditional uses within these districts will be certain structures
and uses required to serve the residents such as public schools, churches and
noncommercial recreational uses. Areas zoned for R-1AA and R-1A districts shall be
those existing low-density residential areas plus certain undeveloped areas which
should develop in a similar manner according to the comprehensive plan.
(b) Permitted uses. Detached single family dwellings.
(c) Accessory uses permitted. Accessory buildings including private garages to serve
the residences, accessory living quarters which contain no cooking facilities, a
recreation room, guest house, greenhouse, dock boathouse, swimming pools, spas.
Stormwater retention facilities servicing exclusively uses permitted in this district. In addition, for properties which contain a residence that is 5,000 square feet in gross floor area or larger, a second kitchen may be included in a dwelling or cabana subject to not having a separate utility meter and not allowing this portion of the dwelling to be rented, let or hired out for occupancy whether compensations be paid directly or indirectly and subject to executing a deed restriction which outlines the above restrictions. That deed restriction shall be recorded prior to the issuance of the building permit and shall be removed only with the consent of the city.

(d) Conditional uses. The following uses may be permitted within this district only after review by the planning and zoning commission and approval by the city commission in accordance with provisions of this article.

1. Churches or similar places of worship with necessary accessory structures, but not including mission or revival tents. Churches may not operate day nurseries or kindergartens without first receiving conditional use approval for this use;

2. Public playgrounds, parks, playing fields and neighborhood municipal recreation buildings and uses in keeping with the character and requirements of the district;

3. Libraries, community centers and other public buildings;

4. Tennis courts;

5. Elderly Affordable housing developments within a designated community redevelopment area (CRA).

(e) Minimum building site.

1. The minimum lot area for the R-1AA district shall be 10,000 square feet with a minimum frontage at the building line of 100 feet.

2. The minimum lot area for the R-1A district shall be 8,500 square feet with a minimum frontage at the building line of 75 feet.

(f) Site and building improvement regulations.
The site and building improvement regulations shall be the same as required in the Lakefront (R-1AAA) District. See Section 58-65(f).

Delete Section 58-66(f) (1) through (9)

(g) Elderly Affordable housing developments.

1. The city may permit, within any designated community redevelopment area (CRA), as a conditional use, the use of land and buildings in this district as elderly affordable housing developments. These developments shall be restricted to the use as independent households or living units including kitchens and all other normal amenities. These living units shall also be restricted for the use and occupancy by elderly persons. This shall not include any use of these households or living units as an adult congregate living facility or any other type of assisted living facility where services are provided for food shopping, meal preparation, cleaning, laundry, nursing care, etc. The city commission may place conditions upon such conditional use approvals including conformance to operational, maintenance and management regulations.

2. Each elderly affordable housing unit shall have no less than 750 square feet and no more than 1,000 square feet of living area. Such units may be developed as independent detached buildings or as attached units of no more than three units in any building. No building shall be more than one-story in height.
(3) The collective size or square footage of buildings developed as affordable elderly housing shall not exceed the applicable floor area ratio for such property. Buildings developed as elderly affordable housing shall meet all other applicable single family zoning requirements except that the city commission may approve buildings with only one parking space per unit and/or utilizing a ten-foot rear building setback.

(4) Prior to the issuance of a building permit for the development of elderly affordable housing, as approved via conditional use, the property owner shall record a deed restriction and covenant running with title to the land, the text of which shall be approved by the city attorney, restricting the use of the property as follows:

a. Such housing shall be restricted for the use and occupancy by elderly persons at least 62 years of age. In cases with a married couple, at least one person must be at least 62 years of age.

b. Such housing shall be restricted as affordable housing such that with regard to a unit for sale, it must be sold for less than 80 percent of the median price of the single family homes sold the previous year in the Orlando metropolitan area, and with regard to units for rent, the unit must rent monthly for less than 80 percent of the median monthly cost of similar sized one bedroom units for the previous year in the Orlando metropolitan area.

c. Such housing shall be restricted as affordable housing such that the tenants or purchasers shall not have annual incomes in excess of 80 percent of the median annual family income for the Orlando metropolitan area.

d. These deed restrictions and covenants shall run with the land to successors in title to the property and may only be removed with the consent of the city.

e. These restrictions and covenants shall also require the property owner to provide to the city any information including copies of leases, contracts and other data to ascertain compliance with these conditions regarding the use of the property as elderly housing sold or rented as affordable housing.

f. These restrictions and covenants shall also require that the property owner of an elderly affordable housing development provide to the city an annual report outlining compliance with city codes regarding the maintenance and upkeep of the grounds, landscaping, buildings and parking lot.

g. These restrictions and covenants shall also require that the property owner convert such property to a single family use (notwithstanding any nonconforming setbacks) in conformance with the R-1A or R-1AA zoning if such project fails to comply with these requirements for elderly affordable housing.

SECTION 3. That Chapter 58 “Land Development Code”, Article III "Zoning" of the Code of Ordinances is hereby amended and modified by amending Section 58-70 “Planned unit residential development (PURD) district” to amend subsection (e) to read as follows:

(e) Approved development plan standards for approved PURD’s. Except as shown below, the applicable zoning standards (based on the comprehensive plan) shall apply for all principal and accessory structures. In addition, development standards of Section 58-65 “Lakefront (R-1AAA) District subsection (f) may be utilized for any property in Waterbridge or Windsong Subdivisions subject to not mixing those standards with these PURD development standards on any one building site. For example, if the provisions of Section 58-65(f) are used on a building site, then the no portion of the PURD standards for that site shall be used.
SECTION 4. That Chapter 58 “Land Development Code”, Article III “Zoning” of the Code of Ordinances is hereby amended by adding a new Section 58-82 “General provisions” subsection (k) (5) to read as follows:

Sec. 58-71. General provisions.

(i) Accessory buildings, structures and uses in residential zones.

(5) Accessory buildings in rear yards: The exterior walls shall not exceed 10.5 ft in height measured from natural grade to the roof sheathing surface unless placed at the same setback as required for the principle building. Additionally, accessory buildings located less than 10 feet from an interior side lot line must have a sloped or flat roof, eg: the side wall adjacent to the lot line cannot be a gable end wall.

Renumber subsections (5) – (9) to (6)-(10).

SECTION 5. All ordinances or portions or ordinances in conflict herewith are hereby repealed.

SECTION 6. Within one year the following plans that were prepared based on prior development standards may be submitted for a building permit application after the effective date of the adoption of this ordinance:

1) Plans that were approved under the lakefront site plan review process by the Planning and Zoning Commission.
2) Plans that received a zoning variance by the Board of Adjustment.

3) Plans approved by the Historic Preservation Commission.

SECTION 7. Plans submitted for a building permit may utilize the current development standards in Sections 58-65 & 58-66 for thirty (30) days after the adoption of this ordinance and may be applied to the principle residential building only. Provisions for accessory buildings and pervious coverage shall meet the standards of this ordinance.

SECTION 8. This ordinance shall become effective immediately upon its final passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this ______ day of ______________, 2009.

ATTEST:

__________________________
Mayor

__________________________
City Clerk