
In order to preserve the existing character and scale of the city's single family residential neighborhoods and lakefronts, the Comprehensive Plan includes policies to strongly discourage the subdivision of estate properties and of lakefront properties. In addition, the Comprehensive Plan contains a policy directing the city to regulate lot consolidations. This proposed ordinance would serve to implement those Comprehensive Plan policies within the Land Development Code.

Subdivision and Lot Splits:

The two applicable policies from the Comprehensive Plan are as follows:

Policy 1-3.6.7: Subdivision of Lot Splits of Single Family Estate Properties. Historically, Winter Park is a distinct residential community in part because of the existence of large estate properties. These existing estates, many with historical or architectural significance, provide a character that in turn creates value throughout the surrounding neighborhoods and the community. Thus, their preservation maintains the attractive character of Winter Park that helps to set it apart from other cities in Florida. The existence of large estate properties dispersed throughout Winter Park adds great attractiveness, appeal and value to residents and potential buyers as contrasted with newer more uniform homogenous subdivisions. In order to protect these features and values and preserve neighborhood character, the City shall strongly discourage not consider or approve any subdivisions or lot splits of estate lots (one acre or greater) within areas designated single family residential.

Policy 1-3.7.1: Preserve Lakefront Estates. It is a policy of the City and of this Comprehensive Plan to maintain the diversity of sizes of lakefront properties and estates and to strongly discourage prohibit the subdivision or split such properties. The City shall
preserve low densities along the City’s lakefront property, including larger lakefront estates in order to perpetuate the unique character of Winter Park that sets it apart from other cities throughout Florida.

Within the Subdivision regulations, section 58-377 “conformance to the Comprehensive Plan” the staff has largely mimicked the same language from these policies to emphasize that subdivisions or lot splits of estates or lakefront properties are strongly discouraged, thus forming a potential basis for denial of such requests given the individual characteristics of the application.

Lot Consolidations:

Another concern related to the preservation of the scale and character of the city’s existing residential neighborhoods is the aggregation or combining of lots and their consolidation into a building site that would yield such a large home as to be adverse to the character and scale of that neighborhood. For example on a street with that might permit 3,000 square foot homes, someone could combine three lots and build a 9,000 square foot home out of character, scale and context with that neighborhood. The Comprehensive Plan policy direction is shown below.

**Policy 1-3.6.9: Lot Consolidations.** Within one year after adoption of this Comprehensive Plan the City shall draft land development regulations which would require Planning Commission recommendation and City Commission approval for the consolidation or aggregation of residential lots in order to preclude the formation of lot sizes and resultant larger building sizes that may be out of scale and size with existing street or neighborhood character. Lot consolidations resulting in the addition of more than 25 feet of new lot width and if such consolidation also results in consolidated new lot sizes greater than 150% of the lot width or and lot area standards shall require the approval by the City Commission. The City Commission in consideration of lot consolidation requests may limit the applicable floor area ratio as a condition of approval in order to preserve neighborhood scale and character.

Definitions

The existing definitions of “estate” from the Comprehensive Plan and “lakefront properties” from the Zoning Code are being added as well as a new definition for “lot consolidations”.

**STAFF RECOMMENDATION IS FOR APPROVAL**
ORDINANCE NO. _______

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE," ARTICLE VI, "SUBDIVISION REGULATIONS" SO AS RENAME SAID ARTICLE VI AS THE "SUBDIVISION AND LOT CONSOLIDATION REGULATIONS"; ADDING NEW DEFINITIONS TO SECTION 58-371 "DEFINITIONS"; AMENDING SECTION 58-377, "CONFORMANCE TO THE COMPREHENSIVE PLAN" TO INCORPORATE POLICY DIRECTION FROM THE COMPREHENSIVE PLAN AND ADDING A NEW SECTION 58-392 "LOT CONSOLIDATIONS" TO ESTABLISH REQUIREMENTS FOR THE REVIEW AND APPROVAL OF LOT CONSOLIDATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Winter Park has recommended approval of this Ordinance at its July 6, 2010 meeting as consistent with the Comprehensive Plan; and

WHEREAS, the City Commission of the City of Winter Park held duly noticed public hearings on the proposed change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park’s Comprehensive Plan; and

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

WHEREAS, words with double underlined type shall constitute additions to the original text and strike through shall constitute deletions to the original text, and asterisks (***) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

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

SECTION 1. That Chapter 58 “Land Development Code”, Article VI "Subdivision Regulations" of the Code of Ordinances is hereby amended by renaming Article VI as "Subdivision and Lot Consolidation Regulations”.

SECTION 2. Section 58-371 "Definitions" is hereby amended by adding three new definitions as follows:

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Estate lot means any single family residential lot that is one acre or greater in size.

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Lakefront lot means any lot or property which is bounded by Lakes Maitland, Osceola, Virginia, Mizell, Sue, Sylvan, Berry, Forrest, Killarney, Temple, Tuscany, Speir and Bell.

***

Lot consolidation means land, vacant or improved, which has been divided into two or more lots, properties, parcels, sites, units, plots or interests, whether such legal description is by subdivision lot and block description or metes and bounds description, and whether by deed, lease, map, plat or other recorded instrument, that are subsequently combined into a single lot, property, parcel, site, unit, plot or interest, for use or potential use as a single entity, whether or not said lots are combined into one deed or other ownership arrangement.

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SECTION 3. Section 58-377 is hereby amended to read as follows:

Sec. 58-377. Conformance to the comprehensive plan.

(a) In the City of Winter Park, as a substantially developed community, the review of lot splits, lot consolidations, plats, replats or resubdivisions within developed areas of the city shall insure conformance with the adopted policies of the comprehensive plan as a precedent to the conformance with other technical standards or code requirements.

(b) In existing developed areas and neighborhoods, all proposed lots shall conform to the existing area of neighborhood density and layout. The proposed lot sizes, widths, depths, shape, access arrangement, buildable areas and orientation shall conform to or exceed the neighborhood standards and existing conditions. This provision is specifically intended to allow the denial or revision by the city of proposed lot splits, lot consolidations, plats, replats or resubdivisions when those are not in conformance with the existing neighborhood density or standards, even if the proposed lots meet the minimum technical requirements of the zoning regulations.

(c) In determining the existing area or neighborhood density and standards, for the consideration of lot splits, plats, replats or subdivision of other than estate lots or lakefront lots, the planning and zoning commission and city commission shall consider the frontage and square foot area of home sites and vacant properties with comparable zoning within an area of 500-foot radius from the proposed subdivision.

(d) In order to implement the policies of the comprehensive plan the city commission may also impose restrictions on the size, scale, and style of proposed building, structures, or other improvements. This provision shall enable
the city commission to impose restrictions on the size, height, setback, lot coverage, impervious area or right-of-way access such that proposed building and other improvements match the dimension and character of the surrounding area or neighborhood.

(e) Pursuant to the policies of the Comprehensive Plan, in the consideration of lot splits, lot consolidations, plats, replats or subdivisions of single family estate properties, it shall be recognized that historically, Winter Park is a distinct residential community in part because of the existence of large estate lots. These existing estate lots, many with historical or architectural significance, provide a character that in turn creates value throughout the surrounding neighborhoods and the community. Thus, preservation of the estate lots maintains the attractive character of Winter Park that helps to set it apart from other cities in Florida. The existence of large estate lots dispersed throughout Winter Park adds great attractiveness, appeal and value to residents and potential buyers as contrasted with newer more uniform homogenous subdivisions. In order to protect these features and values and preserve neighborhood character, the City shall strongly discourage any subdivisions or lot splits of estate lots within areas designated single family residential.

(f) Pursuant to the policies of the Comprehensive Plan, in the consideration of lot splits, plats, replats or subdivisions of lakefront estate lots it is the City’s policy to maintain the diversity of sizes of lakefront properties and lakefront estate lots and to strongly discourage the subdivision or split of such properties. The City shall preserve low densities along the City’s lakefront property, including larger lakefront estate lots in order to perpetuate the unique character of Winter Park that sets it apart from other cities throughout Florida.

SECTION 4. A new Section 58-392 “Lot Consolidations for Residential Lots” is added to read as follows:

Sec. 58-392 – Lot Consolidations of Residential Lots.

(a) Pursuant to the policies of the Comprehensive Plan regarding residential lot consolidations, Planning Commission recommendation and City Commission approval is required for the lot consolidation of residential lots if the lot consolidation results in a new consolidated lot size that is greater than 150% of certain dimensional standards for that area, as defined in subsection (c). The City Commission shall determine whether the new lot and resultant larger building size is out of scale and size with homes on the existing street, or out of keeping with the neighborhood character. The following shall also be considered in the review of lot consolidations:

1. The proposal will not dramatically affect access, design or other public safety concerns relevant to the original approval of plats, if any;

2. The proposal will not violate any plat conditions;

3. The proposal will not violate this Code:
4. The proposal will not invalidate any easements; and

5. No new streets will be created.

(b) However, notwithstanding the requirements of subsection 58-392 (a) above, a lot consolidation approval by the city commission shall not be required if the proposed change is adding twenty-five (25) feet or less of new lot width and corresponding lot area. In addition, a lot consolidation approval by the city commission shall not be required if the new consolidated lot size exceeds the 150% threshold outlined in subsection 58-392 (c) but the property owner voluntarily executes a binding deed restriction to run with title to the entire parcel which limits and restricts the maximum allowable floor area ratio to the total square footage that would have been permitted prior to the addition and consolidation of added lot area. Said deed restriction shall prohibit the removal of the deed restriction without the express approval of the city commission. Any subsequent request for removal of the deed restriction shall comply with the process and procedures for lot consolidation as outlined in this section.

(c) For purposes of determining whether the 150% threshold has been triggered, the planning and zoning commission and city commission shall consider the minimum requirements as to lot width/frontage or the minimum square foot area of lots required by the respective zoning district of the properties to be consolidated. Thus, if the property is zoned R-1A, for example, the 150% threshold shall be based whether the consolidation exceeds by 150% the minimum 75 foot lot width or the 8,500 square foot minimum lot area of that R-1A zoning district.

(d) In their consideration of lot consolidation requests, the City Commission may limit the applicable floor area ratio as a condition of approval in order to preserve neighborhood scale and character.

(e) The public notice, process and procedure for the review of lot consolidation requests shall be the same as for the review of subdivision plats in Sections 58-373 – 58-376.

SECTION 5. Severability. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 6. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 7. Codification. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to “Section,” “Article,” or other appropriate word.
SECTION 8. Effective Date. This ordinance shall become effective immediately upon its final passage and adoption.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of ______________, 2010.

________________________________________
Kenneth Bradley, Mayor

ATTEST:

________________________________________
City Clerk
REQUEST TO AMEND THE PARK AVENUE AND MORSE BOULEVARD DESIGN GUIDELINES.

In 1999, the City adopted design guidelines for the Central Business District/Park Avenue and Morse Boulevard areas. These are referenced in the Zoning Regulations and supplementary to the zoning rules. The staff uses these design guidelines to review changes to the exterior building facades within these designated areas, including awnings and signs.

As time permits, it may be a good idea for the Planning Commission and City Commission to review these design guidelines in their totality, but there are two immediate concerns that staff is suggesting be addressed.

The first concern is the redevelopment of the State Office building property. Morse Boulevard from New York Avenue to Denning Drive has a pattern of the buildings up close to the street. This up-front building location is mandated by the Morse Boulevard design guidelines and it works very well in that section of Morse Boulevard. However, the previous planning administration desired the same ‘new urbanist’ development pattern be continued in the next block of Morse Blvd., Denning Drive, Canton Avenue and Harper Street. The map depicting the area governed by the Morse Blvd. Design Guidelines includes that block and the potential redevelopment sites of the State Office building property and former DMV property.

The mandatory 10 foot front setback, that is required by the Morse Boulevard Design Guidelines, is incompatible with the current vision for the redevelopment of the 5.0 acre State Office building property. It is the City Commission’s desire to try to preserve some of the existing oak trees up along the Morse Blvd. frontage and locate any new building further back on the property.

The same scenario exists with the former DMV property, owned by the Don Casto organization. A future building should be setback internally within that 4.25 acre site rather than be mandated to be located within 10 feet of Denning Drive. Thus, staff is proposing a change to the design guidelines to delete this block from those mandatory setback provisions of the Morse Boulevard design guidelines.
The second proposed change relates to the concern about the appearance of interior illuminated signs. There are very few interior illuminated signs along Park Avenue, New England Avenue or Morse Boulevard. These are typically what we see along the arterial highways like Aloma, Fairbanks, 17-92, etc. We have some “halo” lighted signs that just illuminate the letters but not any ‘box’ type interior illuminated signs. However, a few months ago, the Maestro convenience/deli store in the “Shops on Park Avenue” at 222 N. Park Avenue installed an interior red and white illuminated wall sign. It is completely out of character with Park Avenue. The attached pictures illustrate the incompatible nature of these signs on pedestrian oriented streets. Thus, staff is proposing a change to the design guidelines to prohibit this type of signage but to allow the “halo” illumination.

We would encourage the P&Z members to take a look at the signage at night along Park Avenue. It is easy to know what you ‘don’t want’ when you see it but harder to figure out how to specify what you ‘do want’. If the P&Z Commission wants to table this for another month to think about this some more, that is fine with the staff.

When we do act on this issue, the City also needs to update the Sign Regulations to incorporate these provisions and to include a reference to the design guidelines. That ordinance is attached for your review.

A Planning Commission recommendation is needed for any change to the design guidelines. P&Z does not need to make a recommendation on the sign ordinance update since it is not part of the zoning or comp. plan chapters. However, the staff wanted P&Z to see how we were implementing these new rules within the sign code.

**STAFF RECOMMENDATION IS FOR APPROVAL**
Winter Park
Morse Boulevard Plan

Facade
Design
Guidelines

Morse Boulevard Plan
Revisions 2010

City of Winter Park
Planning Department
Statement of Purpose

The purpose of providing Facade Design Guidelines, in conjunction with the Zoning Regulations, is to provide for the composition of a coherent and cohesive urban space in the Morse Boulevard Plan Area. This would include, in general, provisions for a consistently aligned street wall, uniformity in building facade treatment, appropriately scaled buildings, a pedestrian friendly street atmosphere, and a high quality, more unified overall architectural appearance for Morse Boulevard.

There are several types of zoning within this plan area. They are the Office (O-1) District, the Limited Commercial (C-3A) District, the Low Density Residential (R-2) District and the Multi-Family (High Density R-4) District. Provisions of the Zoning Regulations for these districts within the plan area will prevail unless overridden by these guidelines.

The area covered by these Facade Design Guidelines is indicated on the Map below.
General Building Arrangement

Build to Line
The front facade of each building will be placed on the “build to line”. The purpose of the build to line is to align the mass of each building down the boulevard to provide a consistent street wall, creating a more urban atmosphere, and avoiding the haphazard and arbitrary appearance of buildings placed at varying setbacks. This will also preclude the placement of parking and stormwater retention areas in front of the building.

At the end of block corner conditions, the wall of the building facing the side street shall also be placed at the build to line. This line shall be 10 feet (See site plan diagram.)

In the Morse Boulevard Plan Area, the build to line will be 15 feet from the back of the curb (10 feet from the front property line) except for the area between Orlando Avenue/US 17-92 and Denning Drive where build to line referred to in these guidelines shall be optional subject to site plan review.

A “transition zone” of 10 feet will be allowed, behind the build to line, as a provision for colonnade or arcade treatment at all or a portion of the lower story in the development. This area may also be utilized for entry stairs, covered porches, or portico (entry) elements. This feature will require special review by the city Planning Department for architectural compatibility with the overall building design, and conformance with the intent of these guidelines. All improvements in the transition zone will comply with the following requirements:

1. The arcade, colonnade, entry portico or building will be placed at the build to line. The upper story façade above an arcade or colonnade may be placed either at the build to line or aligned with the lower story wall below, in the transition zone.
2. The upper story façade above an arcade or colonnade may be placed either at the build to line or aligned with the lower story wall below in the transition zone. Exact placement of the upper story walls will be coordinated with the specific architectural treatment of the arcade or colonnade, which will allow for minor variations.
3. The transition zone area must either be treated with architectural surface pavement or landscaping. Landscaping shall be maintained in good condition, on a regular basis.

Building Mass and Height
Building mass along the street wall must be at least two stories to match the typical established scale in this section of Winter Park, and will be broken at intervals of approximately 40 feet for the full height of the building, providing either a slight recess or projection in the façade of the building. The recess or projection shall be approximately 4 feet deep or more. The purpose of this treatment is to break down the building mass to a more pedestrian scale, provide the opportunity for added architectural interest, and avoid the large suburban office block appearance. Variations in the massing that create a rhythm are encouraged. Parking structures may not face onto Morse Boulevard, and may not be considered a part of the building mass at the build to line. Parking structures must be located behind a liner building of occupied space.

Morse Boulevard Plan Façade Design Guidelines
Recessed courtyards will be allowed, provided they are treated with architectural surface pavement, landscaping and are related to a specific function such as access into the building, a restaurant, etc. If courtyards are provided, an element such as a low wall or fence shall be
Façade Treatment

at a level visible to the pedestrian. Some form of architectural treatment is required at the expression line to provide a shadow line, pattern or texture effect. The treatment may be a molding, projection, belt course, material change or other architectural element that serves to separate the lower story from the upper stories of the building façade at that location. The location, depth, and height of this element may vary depending on the type of architectural design being incorporated into the structure. This line may also be intercepted by vertical elements where appropriate to the architectural style.

Cornice Line

The cornice line is the architectural element or treatment that occurs at the top of the building wall or parapet. A cornice may be a projecting element, texture or pattern of sufficient surface relief to create a substantial visible, readable shadow effect. The cornice should be integrated into the style and character of the building design. A cornice treatment is encouraged to be a part of the building façade for all buildings in the Morse Boulevard Plan area.

Building Signage

The types of signs allowed in the Morse Boulevard Plan area will be identification, awning, canopy or marquee, projecting, and wall and ceiling/soffit mounted hanging signs. and ground signs only. Monument signs shall also be permitted only if presenting no traffic visibility impairments; however, the maximum height for these signs shall not exceed four feet. In general, signage will be controlled by the Zoning regulations unless specifically overridden in these guidelines.

For the purposes of these guidelines, ground signs shall be defined as follows: A ground sign is defined as a sign affixed to the ground and supported by poles, uprights or braces extending from the ground or permanently mounted object on the ground but not attached to any part of the building. These signs shall not exceed three square feet in area, and the lower edge shall be a minimum of seven feet high above the sidewalk, and shall be placed at least six inches behind the curb face to prevent interference with vehicular traffic.

Building identification signage should generally be applied at the expression line area of the façade. Signage may take the form of cutout lettering applied to the building wall, awning signs, panel signs, hanging or fixed between building pilasters, or hanging signs suspended from brackets mounted at a right angle to the building. Hanging or projecting bracket signs may be used in the instance of a colonnade or arcade, if suspended behind the arcade or colonnade to identify individual business locations or entrances. Signage should be compatibly, tastefully designed and integrated with the style and character of the building design. Signs should provide information simply and legibly, and should be limited to advertising the name of a business and its main goods and services.

Digital, electronic, and/or internally illuminated signs such as back-lit plastic, acrylic or glass, are prohibited except for theater signage. Flashing or moving lights are not permitted. Front lighting of
signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. The source of light must be hidden or shielded from the direct view of motorists or pedestrians. Back lit halo type opaque sign lettering is permitted, however the light color must be white.

Each building should have the number of the street address posted adjacent to the primary pedestrian entrance from Morse Boulevard, in numerals 4 inch to 8 inches high. This will be in addition to other allowed signage.
Architectural Design Guidelines Boundary

Winter Park Central Business District Architectural Design Guidelines
Architectural Design Guidelines Boundary
Signs play a particularly important role in the appearance of individual storefront and buildings. The size and design characteristics of signs strongly influence the public’s perceptions of the Park Avenue downtown area and its individual businesses. Business owners tend to overestimate the value and function of signage when the success of a business is primarily related to the appeal of the products and prices. Unlike modern highway strip development, downtown Winter Park buildings and streets were built at a human scale, oriented to pedestrians, not cars. A successful sign is not one which stands out from adjacent businesses, but one which reinforces the quality image of the Park Avenue downtown area. Aside from compliance with the zoning regulations for signs in the Central Business District, there are certain other design guidelines which should be followed.

1. The size, color, shape and location of a sign should complement the building façade. Building elements such as windows, cornices or decorative architectural details should not be obscured.

2. Sign materials should be chosen which harmonize with and complement the building’s design. Signs should never be so large as to overpower the façade. Signs constructed of natural materials such as metal or wood are preferred.

3. Individual storefront signs should be compatible with the other storefronts with the same building in terms of design, size and placement on the building.

4. Temporary window signs, such as special sale signs, should not conflict with the color scheme of the storefront or building, or block more than 25% of the view into the interior of the store. Digital, electronic, and/or internally illuminated signs (not including neon or barber-pole types) such as back-lit plastic, acrylic or glass, are prohibited except for theater signage. Flashing or moving lights are not permitted. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Back lit halo type opaque sign lettering is permitted, however the light color must be white.

5. Signage above the expression line shall be prohibited except:
   a. Wall mounted hanging signs that are highly decorative and compliment the building façade.
   b. Small window signs
   c. Signs that identify a building, incorporated in the cornice detail.

Other types of signage above the expression line shall not be allowed.

6. Symbolic and historic three-dimensional signs such as barber shop poles and appropriately-sized projecting signs may be allowed, as permitted in the sign ordinance. Signage should have the capability of being lit in the evening, although the source of light must be hidden or shielded from the direct view of motorists or pedestrians per the lighting standard.

7. Signs should provide information simply and legibly, and should be limited to advertising the name of a business and its main goods and services.
Illuminated Sign Study Notes

CBD Signs. Concerns about the potential cumulative impact of internally illuminated plastic and acrylic signs, such as the new sign for Maestro on the pedestrian oriented atmosphere of the central business district, is triggering a review of the sign code and design guidelines for this area.

As the nighttime study shows, the glare from a typical internally illuminated sign is unpleasant at the sidewalk level and unnecessary to identify businesses in the Main Street type pedestrian environment.

Lettering that is illuminated with back lighting for a “halo” effect is more appropriate, and directed exterior lighting sources are the most appropriate in the CDB/Park Avenue environment. Examples of halo lighting include Shops on Park, Solstice and Chico’s. Halo lighting appears to best effect when the lighting is white. Examples of exterior lighting include Williams-Sonoma, Talbot’s, Be on Park and Lilly.

Luma on Park and Tuni have internally illuminated projecting signs with solid panels and light shining through “cut-out” lettering in a scale and artistic presentation that does not result in the glaring effect of the Maestro sign.

The Park Plaza Gardens has wall mounted neon lettering in red that, while a narrower font, is still somewhat overdone. This may be the effect of the red color. It is partially shielded from view by the restaurants’ awning.

Several businesses that were open late and filled with customers had no additional exterior sign lighting including Starbucks, the Wine Company, Spice and Bosphorus. The ambient light from the streetlights and the light spilling out from the windows and doors were more than adequate to illuminate wall and awning lettering and to attract customers.

Morse Boulevard Signs. Morse Boulevard has developed into an area that, with few exceptions, serves customers during daytime business hours. Low vehicle travel speeds and an increasingly pedestrian oriented, well lit environment also indicate that internally illuminated signs are not appropriate. Externally illuminated wall signs and monument signs such as Kati Thai and Moors & Cabot would be more appropriate throughout the length of the corridor.
ORDINANCE NO. ___

AN ORDINANCE OF THE OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE IV, “SIGN REGULATIONS” SO AS TO AMEND THE SIGN CODE TO IMPLEMENT PROVISIONS OF THE CENTRAL BUSINESS DISTRICT/PARK AVENUE AND MORSE BOULEVARD DESIGN GUIDELINES, PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 58 “Land Development Code,” Article IV “Sign Regulations” of the Code of Ordinances is hereby amended and modified by adding new provisions to Section 58-124 “Signs permitted in zoning districts of the city” subsections (b) (d) and (e) to read as follows:

Sec. 58-124. - Signs permitted in zoning districts of the city.

(b) Office (O-1) and (O-2) districts.

(1) One identification sign and one bulletin board for each developed parcel not to exceed a total of 36 square feet in area for all signs.

(2) All signs shall be wall signs, ground signs or projecting signs. Ground signs shall not exceed a height of eight feet. No height limit is specified for wall signs. All signs shall be placed on private property behind the lot line. These signs shall also comply with the applicable provisions of sections 58-125 and 58-126.

(3) Office district properties located within the boundaries of the area subject to the Central Business District Façade Design Guidelines, the Morse Boulevard Plan Façade Design Guidelines area from New York Avenue to Denning Drive or within the boundaries of the Hannibal Square Neighborhood Commercial District may not have digital, electronic, and/or internally illuminated signs, such as back-lit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Back lit halo type opaque sign lettering is permitted, however the light color must be white.

(4) As further described in the Morse Boulevard Plan Façade Design guidelines, monument signs not to exceed four feet in height shall also be permitted within this area where they present no traffic visibility impediments.

(5) All signs in the applicable map areas shall be subject to compliance with the Central Business District facade Design Guidelines or the Morse Boulevard Plan Façade Design Guidelines even if such is more restrictive than the regulations outlined above.

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(d) Commercial (C-2) district.

(1) Each occupant shall be permitted a maximum of two signs indicating the business, commodities, service or other activity sold, offered or conducted on the premises. Where one occupancy has two signs, only the following combinations of sign types shall be permitted: One ground sign and one wall or canopy sign; one projecting sign and one wall or canopy sign; one ground sign and one under-canopy sign; one canopy sign and one under-canopy sign. These signs shall also comply with the applicable provisions of sections 58-125 through 58-128.

(2) Ground signs within the commercial (C-2) district which give only the name of the abutting business may be located on the public right-of-way between the property line and the curb. Ground signs so located shall not exceed three square feet in area, the lower edge shall be a minimum of seven feet high above the sidewalk, and shall be placed at least six inches behind the curb face or further to prevent interference with vehicular traffic. The design and location of such signs shall be subject to the approval of the planning and community development department to insure that the sign does not interfere with pedestrian traffic, parking or does not create excessive signage in one area. Signs must be spaced at least ten feet apart and may be required to be located as prescribed by the sign location plan.

(3) Ground signs and projecting signs on properties or buildings within the central business district shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet.

(4) The maximum copy area of canopy signs shall be two square feet per linear foot of canopy front and sides. These signs should also comply with applicable provisions of section 58-128.

(5) Signs attached to the underside of a canopy (under canopy signs) shall have a copy area no greater than six square feet, with a maximum letter height of nine inches, subject to a minimum clearance of seven feet from the sidewalk.

(6) Commercial (C-2) district properties may not have digital, electronic, and/or internally illuminated signs, such as back-lit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Back lit halo type opaque sign lettering is permitted, however the light color must be white.

(7) All signs in this district shall be subject to compliance with the Central Business District Façade Design Guidelines, even if such is more restrictive than the regulations outlined above.

(e) General commercial (C-3), limited commercial (C-3A) planned development (PD-1) and (PD-2) and light industrial (I-1) districts.

(1) Each premise or building shall be permitted one ground sign indicating only the business, commodities, service or other activity sold, offered or conducted on the property. Where a premise has in excess of 300 feet of frontage, one additional ground sign may be erected for each additional 300 feet of street frontage in excess to the first 300 feet. Ground signs shall also comply with the applicable provisions of section 58-125. Service stations shall be permitted one additional ground sign not exceeding 32 square feet of area per face indicating only the prices of fuels sold on the premises. A ground sign must be located entirely on private property behind the lot line.

(2) One projecting sign may be substituted for the permitted ground sign and shall comply with applicable provisions of sections 58-127.
(3) In addition to the above signs, each occupant may have one of the following sign types: one wall sign, one canopy sign, or one under-canopy sign. These signs shall comply with the applicable provisions of sections 58-126 and 58-128.

(4) Commercial district properties located within the boundaries of the area subject to the Central Business District Façade Design Guidelines, the Morse Boulevard Plan Façade Design Guidelines area from New York Avenue to Denning Drive or within the Hannibal Square Neighborhood Commercial District may not have digital, electronic, and/or internally illuminated signs, such as back-lit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Back lit halo type opaque sign lettering is permitted, however the light color must be white.

(5) All signs within the applicable map area shall be subject to compliance with the Morse Boulevard Plan Façade Design Guidelines even if such is more restrictive than the regulations outlined above.

SECTION 2 - SEVERABILITY. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3 - CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its 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 _____________, 2010.

______________________________
Mayor

Attest:

______________________________
City Clerk