Streamlining the Zoning Approval Process

The City Commission, as part of their strategic plan, has directed the staff to outline ways to streamline the approval process for new development. Part of that initiative involves efficiencies on the time from building permit application to receipt of the building permit. The other part of that initiative, involving the Planning Board is to streamline the process for applicants needing a zoning approval, such as a conditional use from the planning board and/or city commission. Basically, that zoning approval process can be streamlined or shortened for applicants by changing the Code to permit more administrative staff approvals versus planning board/city commission approvals and by modifying the threshold for public notice requirements for city wide notices as outlined below.

As part of the Economic Development Plan, adopted by the City Commission on July 25th, the city staff will also be engaging a consultant to examine our code to suggest ways to further streamline the process. However, since funding for that effort is in next year’s budget and it will take some time to hire the consultant and undertake that process, the staff is moving ahead with adoption of these initiatives as a first effort to get that process started.

Summary of the Code Changes and the Applicable Ordinance:

Modify the Conditional Uses Approval Process: (Included in Ordinance #1)

Certain types of conditional uses such as those for specific business types and uses of land, liquor licenses, etc, can be staff approved with conditions. If the staff recommendation is for denial or the conditions are unacceptable to the applicants then they can request P&Z Board and City Commission review for appeals of denials or appeals concerning conditions of approval. This ordinance is also intended to clarify the submittal requirements for conditional uses so applicants can more easily submit without having to redo and add other plan details, as was agreed to by P&Z on April 5th.

Modify the Threshold for Significant Changes to Approved Plans Requiring a Zoning Approval by P&Z/City Commission: (Included in Ordinance #2)
Now plans have to come back through P&Z/City Commission for any increase in size over 250 sq. ft. or impervious coverage of 500 sq. ft. The threshold for re-reviews can be higher at 500 sq. ft. of building area or 1,000 sq. ft. of new impervious. The same increase in the threshold would also apply to conditional uses for buildings over 10,000 square feet.

*Modifying the Requirement for P&Z/City Commission Review of Building Plans in the CRA:* (Included in Ordinance #2)

Plans have to come through P&Z/City Commission for any increase in size over 250 sq. ft. of building area in the CRA. This threshold could be increased to 500 or 1,000 sq. ft.

*Modifying the Threshold for Lakefront Reviews by P&Z:* (Included in Ordinance #3)

Administrative staff approvals are suggested for all swimming pools (without screen enclosures) and other patio additions and for additions of less than 1,000 sq. ft. Again staff denials or appeals of conditions can go to P&Z.

*Modifying the Threshold for the City-Wide Notice:* (Included in Ordinance #4)

Increase the threshold for a city-wide notice from 25,000 sq. ft. to 50,000 sq. ft. and for FLU/Rezonings from one acre to two acres.

*Modifying the Threshold for Large Scale Comprehensive Plan changes:* (Included in Ordinance #5)

Modify to comply with the new HB7207 to eliminate the requirement that FLU changes over 10 acres or to a density in excess of 10 units/acre are limited to twice a year.

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

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA,
AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE"
ARTICLE III, "ZONING" SECTION 58-90 "CONDITIONAL USES",
SO AS TO REVISE APPLICATION AND APPROVAL PROCESS
FOR CONDITIONAL USES, REVISING THE SUBMITTAL
REQUIREMENTS AND APPROVAL PROCEDURES FOR
CONDITIONAL USES, REVISING THE STANDARDS FOR
DRIVE-IN CONDITIONAL USES, PROVIDING FOR
SEVERABILITY, CONFLICTS, PROVIDING AN EFFECTIVE
DATE.

WHEREAS, the Planning and Zoning Commission of the City of Winter Park has
recommended approval of this Ordinance at its April 5, 2011 and August 2, 2011 meeting; and

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

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 repealing and adopting within Section
58-90 “Conditional Uses”, a new subsection 58-90 (c) “Approval of Conditional Uses” to read as
follows:

Sec. 58-90. Conditional uses.

(c) Approval of Conditional Uses.

(1) Approval of conditional uses shall be determined based upon one of two procedures. For
conditional use determinations involving the use of a property for a specific business type or
type of use, the applications for conditional use approvals shall be shall be administratively
determined by the planning department. However, the applicant may appeal a denial of a
conditional use application made by the planning department or may appeal an approval of a
conditional use subject to certain specific conditions imposed upon that approval by the
planning department. In those cases of appeals, the entire application shall be referred to the
planning and zoning commission and city commission, subject to the advertisement, notice and review procedures outlined in this section. For those conditional use determinations involving the drive-in components of any property or building, those involving buildings over 10,000 square feet, those involving third floors in the central business district or those involving churches or schools over 5,000 square feet, the application shall be determined by the planning and zoning commission and city commission subject to the advertisement, notice and review procedures outlined in this section.

(2) A simple majority of the city commission may override any recommendation for denial or modify any conditions of approval in the recommendation of the planning and zoning commission except those involving conditional use approvals for three story buildings within the central business district geographic area as defined in this code, which shall require the affirmative vote of four city commissioners per the policies of the Comprehensive Plan.

(3) In order to streamline the development plan approval process, the planning department in those cases authorized or the city commission in the approval of conditional uses may also grant limited exceptions from the terms of this article. Those exceptions shall be limited to the size and height of accessory structures such as walls, fences and signs and shall also be limited to site and building design features involving the number of parking spaces, the location of storm water retention facilities, building setbacks, building lot coverage and building height, but for building height, said exception shall be limited to no more than five (5) feet above the height limits of this article.

SECTION 2. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing and adopting within Section 58-90 "Conditional Uses", a new subsection 58-90 (i) "Conditional Use Submittal Requirements" to read as follows:

Sec. 58-90. Conditional uses.

(i) Conditional Use Submittal Requirements.

(1) For conditional use approvals involving buildings over 10,000 square feet or for three story buildings within the central business district geographic area as defined in this code, or two-story buildings in O-2 the applicant for approval of a conditional use shall submit to the city plans and all supplemental materials required to accompany such plans, as outlined in this subsection. The maximum sheet size for plans shall not exceed 24 inches by 36 inches. Provide one copy at that size. In addition, the applicant shall provide twelve copies of each site or development plan sheet reduced to no larger than 11 inches by 17 inches. Applicants shall also provide a copy of the application submittals in electronic format.

(2) All-site and development plans Applications for preliminary conditional use approval shall contain the following data and information:

- Plan sheet format. The maximum sheet size for plans shall not exceed 24 inches by 36 inches. Provide one copy at that size. In addition, the applicant shall provide twelve copies of each site or development plan sheet reduced to no larger than 11 inches by 17 inches. Applicants shall also provide a copy of the application submittals in electronic format.
a. General information including a legend, including the name of development; legal description; acreage; scale; north arrow; existing zoning and other special districts; preparation/revision date.

b. Application, application fee, name, address and phone number of owner; owner’s authorized agent; engineer; surveyor and others involved in application.

c. Vicinity map;

d. Existing conditions survey showing existing streets structures and topographic contours on the subject property and adjacent to and within fifty (50) feet of site and also including: name; location; right-of-way width; driveway approaches; medians and median cuts and existing on-site trees of nine inch caliper or greater.

e. Proposed buildings and structures, individually identified by number, symbol or other appropriate system, including the following information: location; proposed use for each building or portion thereof; dimensions and height; gross floor area, in square feet by building, use and total; preliminary architectural elevations and proposed fences or walls.

f. Required yards, setbacks, buffers and distances; indicate location and dimensions of all required yards, setbacks and buffers. Also indicate distance between buildings.

g. Proposed on-site vehicular circulation system, and parking areas; include location, dimensions, and typical construction specifications of the driveways, approaches and curb cuts; vehicular access points, access ways, and common vehicular access points; off-street parking spaces and comparison of numbers provided with applicable code requirements; other vehicular use areas; sidewalks and other pedestrian use areas; and proposed dumpsters and other waste removal receptacles.

f. Landscaping plan; which may be conceptual landscape plan which for preliminary approval but for final approval shall include the location and specifications for plantings for parking lot landscaping, buffers, open spaces, recreation areas, and other landscaped areas and landscape. Indicate provisions and method made for the continued maintenance of landscaped areas, open spaces, and recreational areas.

g. Existing tree protection; identify existing trees from tree survey to be removed and/or protected and explain or illustrate method to preserve such trees or compensate for their removal. Both during and after construction. Applicants shall meet on-site with city staff to develop such tree protection and tree compensation plan.

h. Storm Water retention and Drainage plan; in accordance with the requirements of the St. Johns River Water Management District and City Code for preliminary approval the submission shall detail the conceptual design approach and method of code compliance including preliminary storm water retention calculations to demonstrate adequate capacity. In cases where underground storm water exfiltration is planned, the preliminary submission shall also include soil boring(s) and determination of water table to address the adequacy and design parameters of this approach and for final approvals show all existing and proposed grades, proposed guttering on buildings and storm water management details, including swales, berms, piping or other methods used to achieve compliance.
i. Street signs graphics and outdoor lighting; include the locations and sizes of all street signs and the method proposed for outdoor lighting intensity and nature of all proposed lighting (required only for final approval).

j. Flood plain; provide contours and elevation of 100-year floodplain and floodway, when applicable.

k. Transportation; a transportation analysis of the net trip generation for the proposed project and the analysis of whether the transportation level of service criteria of the city’s comprehensive plan and concurrency regulations are affected.

l. For projects meeting the requirements for city-wide public notice, applicants for preliminary conditional use approval shall also submit at the time of application fully rendered 3-D digital architectural perspective images and elevations that show all sides of the proposed building(s), parking areas, parking structures and any other site improvement. Additionally, all adjacent buildings and site improvements within one hundred (100) feet of the proposed site must be included within the digital 3-D images for review of the context with the immediately surrounding properties.

(9) Applications for final conditional use approval shall submit the following data and information:

(a) Project overview; for final approval, applicants shall resubmit the information provided for the preliminary approval as approved by the City Commission as revised with any changes or modifications required pursuant to the preliminary approval incorporating all conditions of approval or other modifications made as a result of the preliminary approval process.

(b) Landscape plan; for final approval, applicants shall indicate the locations and specifications for plantings for parking lot landscaping, buffers, open spaces, recreation areas and other landscape areas and landscape. The plans shall include a plant list, size at planting, plant count and spacing. Plan shall indicate the method for continued maintenance of the landscaped areas such as by the property owner, tenant, HOA, etc. Additionally, a final irrigation plan must be included.

(c) Storm Water retention and Drainage plan; for final approval, in accordance with the requirements of the St. Johns River Water Management District and City Code, applicants shall submit the final storm water design and calculations including all existing and proposed grades, swales, berms, piping, guttering on buildings as necessary for building permit submittal. In addition, a storm water retention system maintenance plan shall be submitted in cases where underground exfiltration is planned.

(d) Development Agreement; for final approval the submission shall include a draft of the proposed development agreement prepared to accompany such application in accordance with Section 58-90 (f).

(e) Transportation; a transportation impact report in compliance with the requirements of the city’s comprehensive plan and concurrency management regulations outlining the impacts and the methods of compliance with those regulations.
SECTION 3. That Chapter 58 “Land Development Code”, Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing and adopting within Section 58-90 “Conditional Uses”, a new subsection 58-90 (n) “Drive-in business” to read as follows:

n) Drive-in business.

(1) The city, as an existing urbanized area, does not lend itself to the establishment of new transportation corridors or to the expansion of existing streets. As a result, the city must strive to maintain the most effective and efficient movement of traffic on the existing road network. Since the drive-in components of any business can increase traffic congestion, create safety hazards on and off site and adversely impact adjacent neighborhoods or existing streets when they are improperly designed or located, the city has determined that in order to protect the health, safety, welfare and convenience of its citizens, drive-in components of any business shall be conditional uses to be disapproved, approved or approved with conditions. In addition to the site plan and building plan submittals previously outlined, all applications for drive-ins shall contain the following information if required by the city planning staff:

(2) Applicants shall submit appropriate traffic data and a transportation impact analysis, including but not limited to the current average daily traffic on adjacent streets and the current peak-hour(s) traffic on adjacent streets. This data shall also include estimated daily and a.m. and p.m. peak-hour traffic generation to and from the site utilizing current Institute of Transportation Engineers (ITE) data or data collected specifically for the site, as well as the documented distribution of trips to the various entrances and exits. The peak hour analysis shall be for the peak hour(s) of the business as well as the peak hours of the adjacent roadways. This data shall also include a detailed analysis of internal traffic flow including a queuing analysis completed with a city approved methodology, an analysis of the nature and adequacy of stacking areas on site for average and peak periods, and an analysis of the impact of vehicle queuing on site ingress and egress. Relevant accident history data near the proposed site and at sites with similar uses shall also be presented by the Applicant and considered by the City.

(3) Applicants shall submit projections of the anticipated number of customers and the location and patron characteristics of other similar businesses within this specific area of the city to which the site is located.

(4) In order for the city to undertake its own analysis of these applications, all the above data shall be submitted no less than thirty (30) days prior to the planning and zoning commission meeting date. This shall allow sufficient time for the city to conduct, if necessary, or require the Applicant to collect new traffic counts, turning movement studies, capacity analysis and for the city to determine the adequacy of data submitted, as well as to question conclusions and findings by requesting supplementary information to back up previous submissions.

(5) It is the intention of the city to permit drive-in businesses only when the use they impose no substantial adverse traffic and safety impacts on adjacent streets, no substantial internal circulation and safety impact on the actual site and when the use is are consistent with existing
character of the area. It is not the intention to permit drive-ins for a parcel which is not suited by location or configuration for such use. Thus, no permit shall be issued unless the city commission shall first determine that:

a. It is generally necessary or appropriate for the general welfare and public interest;

b. That the proposed use is consistent with the character of the surrounding neighborhood and that the property values are reasonably safeguarded;

c. That the size of the property is appropriate enough to accommodate the use during peak periods of the use and during the peak periods of the adjacent streets without substantial adverse effect on adjacent streets and on-site;

d. That no significant deterioration of traffic flow, facility capacity, excessive queuing and/or turning movements will result on adjacent streets from this use;

e. That no undue traffic safety or traffic hazards will be created on site, at site ingress and egress, and on the adjacent roadway network.

SECTION 4. 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 5. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 6. 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 __________________, 2011.

________________________________________
Mayor

ATTEST:

________________________________________
City Clerk
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND WITHIN THE MULTI-FAMILY ZONING DISTRICTS AND ALL THE NON-RESIDENTIAL ZONING DISTRICTS OF THE CITY, THE STANDARDS FOR SIGNIFICANT CHANGES REQUIRING CONDITIONAL USE APPROVAL ON BUILDINGS OVER 10,000 SQUARE FEET, THE STANDARDS FOR SIGNIFICANT CHANGES TO CONDITIONAL USE APPROVALS AND OTHER ZONING APPROVALS AND THE STANDARDS FOR BUILDING APPROVALS IN THE HANNIBAL SQUARE NEIGHBORHOOD COMMERCIAL DISTRICT, PROVIDING FOR SEVERABILITY, CONFLICTS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Winter Park has recommended approval of this Ordinance at its August 2, 2011 meeting; and

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

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 repealing within Section 58-68 "Medium Density Multiple Family Residential (R-3) District", subsection (c) (7) and readopting that subsection to read as follows:

Sec. 58-68. Medium Density Multiple Family Residential (R-3) District.

(c) Conditional uses.

(7) Buildings over 10,000 square feet or any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size, but not including detached accessory buildings such as garages, carports, storage buildings, etc.
SECTION 2. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of
Ordinances is hereby amended and modified by repealing within Section 58-69, "Multi-family
(High Density R-4) District", subsection (c) (7) and readopting that subsection to read as follows:

Sec. 58-69. Multi-family (High Density R-4) District.

(c) Conditional uses.

(7) Buildings over 10,000 square feet or any addition over 500 square feet to an existing
building over 10,000 square feet or additions over 500 square feet to existing buildings that result in
a building over 10,000 square feet in size, but not including detached accessory buildings such as
garages, carports, storage buildings, etc.

SECTION 3. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of
Ordinances is hereby amended and modified by repealing within Section 58-72 "Office (O-1)
District", subsections (d) (2) and (g) (6) and readopting those subsections to read as follows:

Sec. 58-72. Office (O-1) District.

(d) Conditional uses.

(2) Buildings over 10,000 square feet or any addition over 500 square feet to an existing
building over 10,000 square feet or additions over 500 square feet to existing buildings that result in
a building over 10,000 square feet in size.

(g) Hannibal Square Neighborhood Commercial District.

(6) In this HSNCD area, all new buildings and building additions over 500 square feet shall
require site and building plan approval by the city commission at a public hearing. Prior to that
hearing, the planning and zoning commission shall also review such site and building plans at a
public hearing and shall provide their recommendation.

SECTION 4. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of
Ordinances is hereby amended and modified by repealing within Section 58-73 "Office (O-2)
District", subsections (d) (3) and (g) (3) and readopting those subsections to read as follows:

Sec. 58-73. Office (O-2) District.

(d) Conditional uses.

(3) Buildings over 10,000 square feet or any addition over 500 square feet to an existing
building over 10,000 square feet or additions over 500 square feet to existing buildings that result in
a building over 10,000 square feet in size.

(g) Hannibal Square Neighborhood Commercial District.

(3) In this HSNCD area, all new buildings and building additions over 500 square feet shall
require site and building plan approval by the city commission at a public hearing. Prior to that
hearing, the planning and zoning commission shall also review such site and building plans at a
public hearing and shall provide their recommendation.
SECTION 5. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-74 "Commercial (C-1) District", subsection (c) (2) and readopting that subsection to read as follows:

Sec. 58-74. Commercial (C-1) District.

(c) Conditional uses.

(2) Buildings over 10,000 square feet or any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size.

(g) Hannibal Square Neighborhood Commercial District.

(6) In this HSNCD area, all new buildings and building additions over 500 square feet shall require site and building plan approval by the city commission at a public hearing. Prior to that hearing, the planning and zoning commission shall also review such site and building plans at a public hearing and shall provide their recommendation.

SECTION 6. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-75 "Commercial (C-2) District", subsections (c) (6) and (j) (6) and readopting those subsections to read as follows:

Sec. 58-75. Commercial (C-2) District.

(c) Conditional uses.

(6) Buildings over 10,000 square feet or any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size.

(j) Hannibal Square Neighborhood Commercial District.

(6) In this HSNCD area, all new buildings and building additions over 500 square feet shall require site and building plan approval by the city commission at a public hearing. Prior to that hearing, the planning and zoning commission shall also review such site and building plans at a public hearing and shall provide their recommendation.

SECTION 7. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-76 "Commercial (C-3) District", subsections (c) (11) and (g) (4) and readopting those subsections to read as follows:

Sec. 58-76. Commercial (C-3) District.

(c) Conditional uses.

(11) Buildings over 10,000 square feet or any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size.

(g) Hannibal Square Neighborhood Commercial District.
(4) In this HSNCD area, all new buildings and building additions over \(500,000\) square feet shall require site and building plan approval by the city commission at a public hearing. Prior to that hearing, the planning and zoning commission shall also review such site and building plans at a public hearing and shall provide their recommendation.

SECTION 8. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-77 "Commercial (C-3A) District", subsections (c) (4) and (g) (6) and readopting those subsections to read as follows:

Sec. 58-77. Commercial (C-3A) District.

(c) Conditional uses.

(4) Buildings over 10,000 square feet or any addition over \(500,000\) square feet to an existing building over 10,000 square feet or additions over \(500,000\) square feet to existing buildings that result in a building over 10,000 square feet in size.

(g) Hannibal Square Neighborhood Commercial District.

(6) In this HSNCD area, all new buildings and building additions over \(500,000\) square feet shall require site and building plan approval by the city commission at a public hearing. Prior to that hearing, the planning and zoning commission shall also review such site and building plans at a public hearing and shall provide their recommendation.

SECTION 9. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-78 "Limited Industrial and Warehouse (I-1) District", subsection (c) (5) and readopting that subsection to read as follows:

Sec. 58-78. Limited Industrial and Warehouse (I-1) District.

(c) Conditional uses.

(5) Buildings over 10,000 square feet or any addition over \(500,000\) square feet to an existing building over 10,000 square feet or additions over \(500,000\) square feet to existing buildings that result in a building over 10,000 square feet in size.

SECTION 10. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-79 "Public and Quasi-Public (PQP) District", subsections (d) (2) and (g) (6) and readopting those subsections to read as follows:


(d) Conditional uses.

(2) Buildings over 10,000 square feet or any addition over \(500,000\) square feet to an existing building over 10,000 square feet or additions over \(500,000\) square feet to existing buildings that result in a building over 10,000 square feet in size.

(g) Hannibal Square Neighborhood Commercial District.

(6) In this HSNCD area, all new buildings and building additions over \(500,000\) square feet shall require site and building plan approval by the city commission at a public hearing. Prior to that
hearing, the planning and zoning commission shall also review such site and building plans at a public hearing and shall provide their recommendation.

**SECTION 11.** That Chapter 58 “Land Development Code”, Article III “Zoning” of the Code of Ordinances is hereby amended and modified by repealing within Section 58-81 “Parks and Recreation (PR) District”, subsection (c) (3) and readopting that subsection to read as follows:

**Sec. 58-81. Parks and Recreation (PR) District.**

(c) **Conditional uses.**

(3) Buildings over 10,000 square feet or any addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to existing buildings that result in a building over 10,000 square feet in size.

**SECTION 12.** That Chapter 58 “Land Development Code”, Article III “Zoning” of the Code of Ordinances is hereby amended and modified by repealing within Section 58-82 “Planned Development One (PD-1) District”, subsection (d) (1) (c) and readopting that subsection to read as follows:

**Sec. 58-82. Planned Development One (PD-1) District.**

(d) **Conditional uses.**

(1) (c) Buildings over ten thousand (10,000) square feet or any significant change over 500 square feet or addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to a building that result in a building over 10,000 square feet.

**SECTION 13.** That Chapter 58 “Land Development Code”, Article III “Zoning” of the Code of Ordinances is hereby amended and modified by repealing within Section 58-83 “Planned Development Two (PD-2) District”, subsection (d) (3) and readopting that subsection to read as follows:

**Sec. 58-83. Planned Development Two (PD-2) District.**

(d) **Conditional uses.**

(3) Buildings over ten thousand (10,000) square feet or any significant change over 500 square feet or addition over 500 square feet to an existing building over 10,000 square feet or additions over 500 square feet to a building that result in a building over 10,000 square feet.

**SECTION 14** That Chapter 58 “Land Development Code”, Article III “Zoning” of the Code of Ordinances is hereby amended and modified by repealing and adopting within Section 58-89 “Zoning changes and amendments, public notice requirements and procedures for zoning amendments and conditional uses, within 58-89 (m) “Significant Changes to Buildings or Approved Plans”, subsection (m) (3) to read as follows:

**Sec. 58-89. Zoning changes and amendments, public notice requirements and procedures for zoning amendments and conditional uses.**

(m) Significant Changes to Buildings or Approved Plans.
(3) In the second instance, the planning and development director must ensure that the plan documents submitted for site development and building permits are consistent with the plan documents given final approval by the city commission. Any such determination of significant change by the planning and community development director in this instance may be appealed to the city commission following recommendation from the planning and zoning commission. In order to determine whether a significant change shall be deemed to occur, the following criteria shall be used:

a. When there is an increase in the height of a building of more than one (1) foot; or

b. When there is an increase in the square footage of a proposed building of more than 500 square feet above grade; or

c. When there is an increase in the impervious lot coverage of more than 1,000 square feet; or

d. When there is a change in the architectural style of the building; or

e. When there is a major shift or relocation of the site and floor plan(s) or the distribution of uses within the building or major shift or relocation in the features of building location, storm water retention, parking area and/or driveways; or

f. When additional variances are requested that have not previously been made part of the public record in the review by the planning and zoning commission and/or the city commission; or

g. When the planning director or city commission believes a material change has been made in a plan detail that was critical to the consensus or decision made by the board or commission.

h. The planning and zoning commission and the city commission will allow only the submission of one plan change to be reviewed under this section. For example, a project cannot increase the building height by one foot (which is not a significant change) and then request another determination for another additional foot increase in height and then another request and so on.

SECTION 15. That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing and adopting within Section 58-71 "General Provisions for Residential Buildings", subsection 58-89 (x) "Significant changes to buildings or approved plans", to read as follows:


(x) Significant changes to buildings or approved plans. Various sections of this zoning article require approvals by the planning and zoning commission and/or city commission. Within the section for conditional uses there are specific requirements defining significant changes for conditional uses. For all other types of approvals, the standards below will determine whether a significant change or substantial deviation shall be deemed to have occurred which then would require a subsequent review and approval for those changes by the planning and zoning commission and/or the city commission as follows:

(1) When there is an increase in the height of a building of more than one (1) foot; or

(2) When there is an increase in the square footage of a proposed building of more than 500 square feet above grade; or
(3) When there is an increase in the impervious lot coverage of more than $1,000,500$ square feet; or

(4) When there is a change in the architectural style of the building; or

(5) When there is a major shift or relocation of the site and floor plan(s) or distribution of uses within the building or major shift or relocation in the features of building location, storm water retention, parking area and/or driveways; or

(6) When additional variances are requested that were not part of the original public record in the review by the planning and zoning commission and/or the city commission; or

(7) When the planning director, building director or city commission finds that a material change has been made to a plan detail that was critical to the decision rendered by the board or the commission.

**SECTION 16.** That Chapter 58 “Land Development Code”, Article III “Zoning” of the Code of Ordinances is hereby amended and modified by repealing and adopting within Section 58-84 “General Provisions for Non-Residential Buildings”, subsection 58-89 (s) “Significant changes to buildings or approved plans”, to read as follows:


(s) **Significant changes to buildings or approved plans.** Various sections of this zoning article require approvals by the planning and zoning commission and/or city commission. Within the section for conditional uses there are specific requirements defining significant changes for conditional uses. For all other types of approvals, the standards below will determine whether a significant change or substantial deviation shall be deemed to have occurred which then would require a subsequent review and approval for those changes by the planning and zoning commission and/or the city commission as follows:

(1) When there is an increase in the height of a building of more than one (1) foot; or

(2) When there is an increase in the square footage of a proposed building of more than $500,250$ square feet; or

(3) When there is an increase in the impervious lot coverage of more than $1,000,500$ square feet; or

(4) When there is a change in the architectural style of the building; or

(5) When there is a major shift or relocation of the site and floor plan(s) or distribution of uses within the building or major shift or relocation in the features of building location, storm water retention, parking area and/or driveways; or

(6) When additional variances are requested that were not part of the original public record in the review by the planning and zoning commission and/or the city commission; or

(7) When the planning director, building director or city commission believe a material change has been made to a plan detail that was critical to the consensus or decision made by the board or commission.
SECTION 17 - 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 18 - CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 19 - 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 ________________, 2011.

____________________________________
Mayor

____________________________________
City Clerk
ORDINANCE NO. _________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND WITHIN SECTION 58-83 "LAKEFRONT LOTS, CANALFRONT LOTS, STREAMFRONT LOTS, BOATHOUSES AND DOCKS" SO AS TO REVISE THE APPROVAL PROCEDURES FOR THE APPROVAL OF BUILDING PROJECTS ON SUCH WATERFRONT LOTS, PROVIDING FOR SEVERABILITY, CONFLICTS AND 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 III "Zoning" of the Code of Ordinances is hereby amended and modified by repealing within Section 58-74 “Lakefront lots, canafront lots, streamfront lots, boathouses and docks.”, subsections (a) and (b) and readopting those subsections to read as follows:

Sec. 58-87. Lakefront lots, canalfront lots, streamfront lots, boathouses and docks.

(a) Purpose and intent. It is the intent of this section to insure that buildings and structures on canalfront lots, lakefront lots and streamfront lots are not constructed or placed such that no boating hazards will be created, that construction shall be compatible with the natural grade of the property, that water pollution from storm water runoff and other sources will be minimized, that views of water from adjoining properties will not be unduly impaired, that existing trees shall be preserved to the degree reasonably possible and the appearance of the property and the shore when viewed from the water will be kept as natural as reasonably possible. The city's lakes, canals and streams are among the city's greatest assets, and it is in the public interest to require that their aesthetic appeal and water quality be maintained and enhanced when possible.

(b) Building plans. A building permit shall not be issued for any new structure or building, addition to any existing structure or building, fence or wall or significant change to an existing property on a lakefront, canalfront or streamfront lot until satisfactory building plans are reviewed and approved that are deemed in compliance with the objectives established in the aforementioned purpose and intent. The planning department shall review all such plans and provide a recommendation to the planning and zoning board. In cases involving the construction of swimming pools (without screen pool enclosures) or patio, hardscape additions of under 1,000 square feet, the planning department shall provide an administrative review which results in approval, approval with conditions or denial of the permit. In such cases, the owner may appeal such determinations to the planning and zoning board. In all other cases, the planning and zoning board commission shall
review and approve construction upon lakefront lots, canalfront lots and streamfront lots when deemed in compliance with the objectives established in the aforementioned purpose and intent. The lakes and waterways board shall review and approve construction of boathouses, docks, gazebos over the lakes or other water bodies. The requirements of this section are minimum requirements, and the planning and zoning board commission or the lakes and waterways board may impose more restrictive requirements and conditions on the height, bulk, location and any other aspect of the proposed development where necessary in order to accomplish the purpose and intent of this section. Review by the planning and zoning board commission or the lakes and waterways board shall be at a public hearing following notification of adjacent waterfront property owners.

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 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 ______________, 2011.

__________________________________________
Mayor

__________________________________________
City Clerk
ORDINANCE NO. _________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SECTION 58-89 "ZONING CHANGES AND AMENDMENTS, PUBLIC NOTICE REQUIREMENTS AND PROCEDURES FOR ZONING AMENDMENTS AND CONDITIONAL USES", SO AS TO REVISE THE PUBLIC NOTICE REQUIREMENTS FOR ZONING AMENDMENTS AND CONDITIONAL USES, PROVIDING FOR SEVERABILITY, CONFLICTS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Winter Park has recommended approval of this Ordinance at its August 2, 2011 meeting; and

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

NOW THEREFORE, BE IT ENACTED BY 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 repealing and adopting within Section 58-89 "Zoning changes and amendments, public notice requirements and procedures for zoning amendments and conditional uses, within subsection within 58-89 (d) "Public Notice Requirements", subsections (d) (1), (2) and (3) to read as follows:

Sec. 58-89. Zoning changes and amendments, public notice requirements and procedures for zoning amendments and conditional uses.

(d) Public Notice Requirements.

(1) For any proposed conditional uses involving drive-in business components, two-story buildings in the O-2 district of less than 10,000 gross square feet above grade, residential projects of three units or less, conditional use for restaurant or liquor licenses, new or used car sales, vehicle repair or service, parking lots or recreational facilities, said notice of the hearing shall be published in a newspaper of general circulation within the city at least fifteen (15) days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 500 feet of the property requested for rezoning at least fifteen (15) days prior to the public hearing. The public notice posted on the property shall be erected to be
in full view of the general public on each street side of said land and shall be erected by the applicant.

(2) For any amendment to the official zoning map for land of less than one acre and for conditional uses involving church expansions, residential projects of four to twenty-five units, buildings over 10,000 gross square feet and less than 50,000 gross square feet above grade, day care, nursing homes and assisted living complexes said notice of the hearing shall be published in a newspaper of general circulation within the city at least fifteen (15) days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of property of record within 1,500 feet of the property requested for rezoning at least fifteen (15) days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each street side of said land and shall be erected by the applicant.

(3) For any proposed amendment to the official zoning map for land of more than two acres and for conditional uses involving residential projects with over twenty-five units, buildings over 50,000 gross square feet above grade and third floor projects in the central business district, said notice of the hearing shall be published in a newspaper of general circulation within the city at least thirty (30) days in advance of the hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 1,500 feet of the property, and mailed to all households as determined from the listing of utility billing addresses within the entire city limits at least thirty (30) days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each street side of said land and shall be erected by the applicant. Said postings of properties shall remain in place through the public hearing process. The city shall monitor this posting and provide replacements for any postings lost due to weather, vandalism, etc. However, the absence of a posting due to these conditions beyond the control of the city or the applicant shall not constitute a breach of this requirement provided a good faith effort is made to comply.

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. 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 _____________, 2011.

______________________________
Mayor

ATTEST:

______________________________
City Clerk
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 NEW PUBLIC NOTICE AND ADOPTION PROCEDURES FOR AMENDMENTS TO THE CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, SUBSTITUTING FOR THE CURRENT AMENDMENT PROCEDURES, PROVIDING FOR SEVERABILITY, CONFLICTS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Statutes require all local communities to adopt Comprehensive Plans pursuant to Chapter 163, Florida Statutes and Florida Administrative Rules in order to provide appropriate policy guidance for growth and development; and

WHEREAS, the Winter Park City Commission has adopted the Comprehensive Plan on February 23, 2009 via Ordinance 2762-09 and desires to revise the public notice and amendment procedures.

NOW THEREFORE, BE IT ENACTED BY 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 by repealing within Section 58-6 "Amendments to the comprehensive plan" subsections (a) (1) and (a) (2) and adopting a new subsections (a) (1) and (a) (2) to read as follows:

Sec. 58-6. Amendments to the comprehensive plan.

(a) Amendments to the comprehensive plan shall at a minimum conform to the requirements as specified within Florida Statutes Chapter 163, Part II and Rules 9-J5/9-J11 Florida Administrative Code.

(1) A comprehensive plan text or map amendment may be proposed by the city commission or the planning and zoning commission or may be proposed by any individual, corporation, partnership or other entity having a bona-fide interest in property either by ownership or by standing under a contract to purchase such land. All comprehensive plan text or map amendments must be made by ordinance. Applications shall be submitted on a standard application form accompanied by all pertinent information which may be required for proper consideration of the matter, along with payment of fees and charges as established by the city commission. The commencement of the process to amend the Comprehensive Plan shall be limited to no more than two times during any calendar year except for amendments to the Future Land Use Map involving applications for properties of less than ten (10) two (2) acres in size provided the cumulative effect of the above condition shall not exceed thirty (30) acres annually; the proposed future land use map amendment does not involve the same property more than once a year; and the proposed future land use amendment does not involve the same owner's property within 200 feet of property granted a
change within a period of 12 months. This twice a year limitation shall not apply or count as one of the two permitted amendment cycles for any city sponsored comprehensive plan amendment in the case of emergency, if the emergency plan amendments receive the approval of all of the members of the city commission. "Emergency" means any occurrence or threat thereof whether accidental or natural, caused by man, in war or peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property or public funds. In addition this twice a year limitation shall not apply or count as one of the two permitted amendment cycles for any city sponsored comprehensive plan amendments involving changes to the City’s five year capital improvements plan or narrative thereto or other portions of the capital improvements element required to be adopted annually in order to coincide with the annual adoption of the city’s budget and capital improvements program. Applicants shall include prospective plans indicating the desired development scenario proposed as a result of an approval per the plan submission requirements established for conditional uses.

(2) All proposed comprehensive plan text or map amendments shall be submitted to the planning and zoning commission for study and recommendation. The planning and zoning commission shall study such proposals to determine:
   a. The need and justification for the change;
   b. When pertaining to the future land use designation of land, the effect of the change, if any, on the particular property and the surrounding properties;
   c. When pertaining to the future land use designation of land, the amount of undeveloped land in the general area and in the city having the same classification as that requested; and
   d. The relationship of the proposed amendment to the goals, objectives and policies text of the city’s comprehensive plan, with appropriate consideration as to whether the proposed change will further, or at least not be contrary to the comprehensive plan.

(3) No recommendation for transmittal or adoption of any amendment to the comprehensive plan shall be made by the planning and zoning commission until and unless a public hearing has been held. In addition to the public notice requirements of Florida Statutes Chapter 163, Part II and Rules 9-J5/9-J11 Florida Administrative Code, the city shall also conform to the following notice requirements. Notice shall be provided based upon the type and size of the request as detailed below. In cases where requests are not specifically indicated in this section, the planning director shall determine the most appropriate level of public notice.

   a. For any proposed map amendment to the comprehensive plan involving land of less than two acres, notice of the public hearings for transmittal in the case of large scale amendments or for adoption in the case of small scale amendments shall be published in a newspaper of general circulation within the city at least 15 days in advance of the public hearing; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property and mailed to all owners of record of property within 1,500 feet of the property requested for map amendment at least 15 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each street side of said land and shall be erected by the applicant.

   b. For any proposed map amendment to the comprehensive plan involving land of two acres or more or for any comprehensive plan text amendment to the goals, objectives and policies of the comprehensive plan affecting more than two acres of land shall require notice of the public hearings for transmittal in the case of large scale amendments or for adoption in the case of small scale amendments, to be published in a newspaper of general circulation within the city at least 30 days in advance of the public hearings; written notice of the time and place of such meeting and the proposed action to be taken shall be posted upon the property affected by the map amendment and mailed to all owners of record of property within 1,500 feet of the property requested for map amendment as well as mailed to all households as determined from the listing of
utility billing addresses within the entire city limits at least 30 days prior to the public hearing. The public notice posted on the property shall be erected to be in full view of the general public on each street side of said land and shall be erected by the applicant. Any public notice required after the initial public hearing for which a city-wide notice has already been mailed by the planning and zoning or city commission due to tabling, continuance, postponement or any other action by the planning commission shall revert to the 15 day notice so as to allow for requests to be heard at the next regular or special meeting of the planning and zoning or city commission. This city-wide notice mailing requirement shall not apply to any comprehensive plan text amendment that changes the City's five year capital improvements plan or narrative thereto or other portions of the capital improvements element required to be adopted annually in order to coincide with the annual adoption of the city's budget and capital improvements program and shall also not apply to any comprehensive plan map amendment related to annexations that have been previously approved pursuant to Chapter 171, Florida Statutes, as may be necessary to update the city boundaries or to establish existing or future land use designations for annexed properties as long as there is no change to the existing and future land use designations in the Orange County Comprehensive Plan.

**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 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 ________________, 2011.

__________________________________________________________
Mayor

ATTEST:

__________________________________________________________
City Clerk
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 CAPITAL IMPROVEMENT PLAN INCLUSION WITHIN THE DATA, INVENTORY AND ANALYSIS COMPONENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES.

As the "designated local planning agency", a recommendation is required from the Planning and Zoning Board on the annual Comprehensive Plan amendment to update our Five Year Capital Improvement Plan (CIP) in the Capital Improvements Element. Every city/county in Florida is required to do this annually in some fashion. The original purpose was to make sure that cities/counties are budgeting and planning for the water plants, sewer plants, storm drainage systems and roads needed and expected for future growth in order to implement concurrency. There was State review by DCA and oversight to make sure the CIP was financially feasible and also addressed the needs satisfactorily. Now with the recent adoption of HB 7207 and the elimination of concurrency requirements, local governments have 'home rule' and no State oversight or approval/denial authority on their Five Year CIP's.

This recent adoption of HB 7207 also has changed the format concerning this annual update. No longer does the City have to do a formal Comp. Plan amendment to the Goals, Objectives and Policies (GOP's) document. Instead, the City references the Five Year CIP in the GOP's but instead annually updates the new Five Year CIP in the Data, Inventory and Analysis (DIA) component of the Comp. Plan which does not require adoption via ordinance or submission to DCA. So annually, the City will update the Five year CIP as part of the budget process and with the adoption of the budget the Comp. Plan DIA will be updated.

The staff is proposing to maintain the narrative description of the projects relevant to the Comprehensive Plan with respect to the "big picture" capacity and level of service needs for water, sewer, drainage, parks and roads.

The City Commission will adopt this ordinance update as part of the adoption of the annual budget on September 12th and September 26th.

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 AMEND AND UPDATE THE CAPITAL IMPROVEMENT ELEMENT TO REFLECT THE REVISED FIVE YEAR CAPITAL IMPROVEMENT PLAN INCLUSION WITHIN THE DATA, INVENTORY AND ANALYSIS COMPONENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES AND PROVIDING FOR SEVERABILITY, CONFLICTS AND 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 in this Goals, Objectives and Policies document 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. Pursuant to HB 7207 the five year capital improvement plan This section shall be updated annually and will be included within the Data, Inventory and Analysis component of the Comprehensive Plan.

Since the initial adoption of this Comp. Plan CIP, the factors affecting concurrency have been de minimis. The City's population declined by 340 persons in the past year and the corresponding park land, potable water and sewer capacity needs are static. A de minimis report per transportation impact has been prepared as part of the DIA showing no degradation of any transportation level of service standard. Growth in the City during the past year consisted of four net new single family homes and six multi-family residential units. Due to the economy there were no commercial/office building projects that began construction. In addition, again due to the economy, there were no new multi-family or commercial/office projects approved for future construction. This is clearly a unique scenario, given the economy, where vacancy rates have diminished population and the overall construction activity has declined to de minimis levels.
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 firefighting 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>Current Available Capacity from Groundwater Sources</th>
<th>Year</th>
<th>Permitted Groundwater Withdrawal</th>
<th>Average Daily Demand</th>
<th>Available Capacity</th>
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<td></td>
<td></td>
<td>(mgd)</td>
<td>(mgd)</td>
<td>(mgd)</td>
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<td>2008</td>
<td>11.9</td>
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</tr>
<tr>
<td>2025</td>
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<td>11.9</td>
<td>0.8</td>
<td></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 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 shown for FY 2009/FY2010/FY2011 combined at $1,682,182. It was expected that significant additional design expenditures would be required for FY2012/FY 2013. Construction costs were 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 not 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.

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 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 are 8.3 mgd. Projected sanitary sewer flows in 2028 are 7.0 million gpd again contrasted 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 treatment capacity. The City’s capital improvement plan shows $2,873,272 in committed expenditures in FY 2010/FY 2011/FY 2012 for this project.

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 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. 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. 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.
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 which requires 285.81 acres to meet the required level of service. The current inventory indicates 297.66 acres of park and recreation land. Given the current calculation, the inventory shows an excess of 11.85 acres over the required 285.81, which translates to the capacity of an additional 1,185 residents in the City of Winter Park without compromising the necessary levels of service outlined in the Comprehensive Plan.

Future Park and Recreational Needs

The City’s population is anticipated to increase by 5,919 residents between 2009 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>Year</td>
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<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 or 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.

**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. $822,000 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.
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

The Florida Department of Transportation (FDOT) intends 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 will be constructed in two phases. Phase I is 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.

The overall project cost for Phase I was projected at $357.2 million. Included in this overall project is 07 dollar estimates was $3.75 million in federal funding earmarked for the City of Winter Park’s commuter rail station. 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 station project was improvements for drop off/pick up and transit/bill service which is lacking given the minimal needs experienced at this current Amtrak station. Projected initial ridership at the Winter Park station is 549 boardings per day.

Operation and maintenance expenses for the first seven years of service are to be funded by Florida DOT. Following that time period, the participating local governments pick up the operational and maintenance expenses as outlined above. The inter-local agreements expect that a dedicated funding source for those expenses will be forthcoming. Winter Park’s agreement contains an opt-out provision in case a dedicated funding source is not realized.

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 $237,500. The new constructed Amtrak Station, enhanced restrooms and companion transit accommodations will augment service for the future use of the rail system. The City is pursuing an agreement to implement the project. At this time the project parameters, design and cost have not been determined by the City Commission.
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 intersection ($125,000) 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 (SR 527) onto US-17-92/SR 15/600 cannot 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.

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. The effective date of this Plan Amendment shall be the date a Final Order is issued by the Florida Department of Community Affairs or the Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, development agreements or land uses dependent on this ordinance or Plan Amendment may be issued or commenced before the Plan Amendment has become effective. If the final order of noncompliance is issued by the Administrative Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

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 ______________, 2011.
Mayor, Kenneth W. Bradley

Attest:

City Clerk, Cynthia Bonham
# Five Year Capital Improvement Plan FY 2012-2016
(As presented to the City Commission in Budget)

## CITY OF WINTER PARK
### SUMMARY OF CAPITAL PROJECTS

<table>
<thead>
<tr>
<th>Description</th>
<th>Funding Source</th>
<th>Estimated Total Cost</th>
<th>Schedule of Planned CIP Expenditures</th>
</tr>
</thead>
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<td>General Capital Projects</td>
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<td>2,322,477</td>
</tr>
<tr>
<td></td>
<td>Grant/Fund Raising</td>
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<td>269,000</td>
</tr>
<tr>
<td></td>
<td>Grant/Bond Issue</td>
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<td>-</td>
</tr>
<tr>
<td></td>
<td>General Obligation Bonds</td>
<td>650,000</td>
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<td>Stormwater Utility Fees</td>
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<td>-</td>
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<td>Water and Sewer Fees</td>
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<td></td>
<td>Sewer Impact Fees</td>
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<td>State Grant</td>
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<td></td>
<td>Water &amp; Sewer Bond Issue</td>
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<td></td>
<td></td>
<td>55,990,795</td>
<td>12,441,245</td>
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</tbody>
</table>

### Reconciliation to Capital Projects total on All Funds Budget Summary:

- Total Capital Projects from Summary of Capital Projects: 12,441,245
- Pavement resurfacing reported as an operating expense on All Funds Budget Summary: (775,000)
- Sidewalk, bikeway, and curb repair reported as an operating expense on All Funds Budget Summary: (330,000)
- Projects to be funded through a combination of privately raised funds and grants: (269,000)
- Water and sewer system improvements to be funded through a bond issue: (2,573,272)
- Water and sewer system improvements to be funded through currently available sewer impact fees: (1,700,000)
- Water and sewer system improvements to be funded through state funding for resurfacing of Fairbanks: (1,000,000)

- Capital Projects total from All Funds: 5,793,973
<table>
<thead>
<tr>
<th>Department</th>
<th>Description</th>
<th>Estimated Total</th>
<th>Funding</th>
<th>Source</th>
<th>Cost</th>
<th>Schedule of Planned CRP Expenditure</th>
<th>Other Long-term Needs</th>
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</thead>
<tbody>
<tr>
<td>Public Works</td>
<td>Parkway Reappraisal and Break Road Repairs</td>
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<td></td>
<td>General Fund</td>
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<td>FY 2013: 50,000 FY 2014: 390,000 FY 2015: 210,000 FY 2016: 220,000</td>
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<td>Public Works</td>
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<td></td>
<td></td>
<td>General Fund</td>
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<td>FY 2013: 50,000 FY 2014: 390,000 FY 2015: 210,000 FY 2016: 220,000</td>
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</tr>
<tr>
<td>Public Works</td>
<td>Facility repair and rehabilitation</td>
<td></td>
<td></td>
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<tr>
<td>Fire</td>
<td>Roofing, air conditioning, and painting</td>
<td></td>
<td></td>
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<tr>
<td>ITS</td>
<td>Information Technology Infrastructure upgrades (65% General Fund)</td>
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<td></td>
<td>General Fund</td>
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<td>Parks</td>
<td>General Parks Major Maintenance Fund</td>
<td></td>
<td></td>
<td>General Fund</td>
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<td>FY 2013: 50,000 FY 2014: 390,000 FY 2015: 210,000 FY 2016: 220,000</td>
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<tr>
<td>Parks</td>
<td>General Parks Major Maintenance Fund phase II</td>
<td></td>
<td></td>
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<tr>
<td>Parks</td>
<td>East Coast Park Ponds Concessions</td>
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<tr>
<td>Parks</td>
<td>Golf Course consultant implementation and ongoing staff training</td>
<td></td>
<td></td>
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<tr>
<td>Parks</td>
<td>Golf Course consultant implementation phase II</td>
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<tr>
<td>Parks</td>
<td>West York Park Ponds Concessions</td>
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<tr>
<td>Parks</td>
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<tr>
<td>Parks</td>
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<td></td>
<td>General Fund</td>
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<td>Parks</td>
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<tr>
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<td>General Fund</td>
<td>1,672,777</td>
<td>FY 2013: 50,000 FY 2014: 390,000 FY 2015: 210,000 FY 2016: 220,000</td>
<td>800,000</td>
</tr>
<tr>
<td>General</td>
<td>City Hall Parking Garage (250 spaces at $20.00 per space)</td>
<td></td>
<td></td>
<td>General Fund</td>
<td>1,672,777</td>
<td>FY 2013: 50,000 FY 2014: 390,000 FY 2015: 210,000 FY 2016: 220,000</td>
<td>800,000</td>
</tr>
</tbody>
</table>
## SUMMARY OF CAPITAL PROJECTS
### GENERAL CAPITAL PROJECTS

<table>
<thead>
<tr>
<th>Department</th>
<th>Description</th>
<th>Funding Source</th>
<th>Estimated Total</th>
<th>Schedule of Planned CIP Expenditures</th>
<th>Other Long-term Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>New Library (60,000 square feet)</td>
<td>General Obligation Bonds - Subject to Referendum</td>
<td>15,000,000</td>
<td>FY 2012: 300,000 FY 2013: 14,700,000</td>
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</tr>
<tr>
<td>Public Works</td>
<td>Construct a linear park along St. Andrews Blvd. south of Aloma as part of a stormwater improvement project that includes filling in the ditch to the east of the road (No grant prospects as of July 2010)</td>
<td>Grants</td>
<td>2,000,000</td>
<td>FY 2016: 2,000,000</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>54,827,477</td>
<td>2,591,477</td>
<td>4,742,000</td>
<td>2,744,000</td>
<td>2,810,000</td>
</tr>
<tr>
<td>Public Works</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Totals by Funding Source:**

- **General Fund**
  - 13,984,477
  - 2,322,477
  - 2,428,000
  - 2,694,000
  - 2,710,000
  - 2,830,000
  - 1,000,000

- **Grants**
  - 2,000,000
  - 2,000,000
  - 100,000
  - 100,000
  - 3,100,000

- **Grants/Fund Raising**
  - 4,343,000
  - 269,000
  - 314,000
  - 50,000
  - 100,000

- **Grants/Bond Issue**
  - 2,000,000
  - 2,000,000

- **General Obligation Bonds**
  - 32,500,000
  - 650,000
  - 31,850,000

<table>
<thead>
<tr>
<th></th>
<th>54,827,477</th>
<th>2,591,477</th>
<th>4,742,000</th>
<th>2,744,000</th>
<th>2,810,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department</td>
<td>Description</td>
<td>Funding Source</td>
<td>Estimated Total Cost</td>
<td>Schedule of Planned CIP Expenditures</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------------------</td>
<td>----------------------</td>
<td>--------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Unidentified and Miscellaneous Drainage Improvements - Most of the City's stormwater sewer infrastructure is over fifty years old. Some of these older systems do not meet the City's current drainage standards and in many cases are experiencing pipe material failures. Groundwater seepage into the stormwater sewer system is considered an illicit discharge carrying sediments to the City's lakes compromising water quality.</td>
<td>Stormwater Fees</td>
<td>400,000</td>
<td>40,000 150,000 80,000 150,000</td>
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</tr>
<tr>
<td>Public Works</td>
<td>Alum station upgrades - phase 1</td>
<td>Stormwater Fees</td>
<td>210,000</td>
<td>210,000</td>
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</tr>
<tr>
<td>Public Works</td>
<td>Howard Drive Stormwater Treatment Pond</td>
<td>Stormwater Fees</td>
<td>150,000</td>
<td>150,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Howell Branch Road - pond retrofit</td>
<td>Stormwater Fees</td>
<td>140,000</td>
<td>140,000</td>
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</tr>
<tr>
<td>Public Works</td>
<td>Miscellaneous Land Locked Lakes Stormwater Retrofits</td>
<td>Stormwater Fees</td>
<td>340,000</td>
<td>70,000 160,000 110,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Lake Sue - Outfalls No. 72-75 - Liquid/Solid Separators</td>
<td>Stormwater Fees</td>
<td>50,000</td>
<td>50,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Howell Creek maintenance</td>
<td>Stormwater Fees</td>
<td>45,000</td>
<td>45,000</td>
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<tr>
<td>Public Works</td>
<td>Alum station upgrades - phase 1</td>
<td>Stormwater Fees</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>North New York Avenue - Stormwater Retrofit - Phase 2</td>
<td>Stormwater Fees</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Davis Parkway - Outfall No. 3 - Stormwater Retrofit (delayed from fiscal year 2011 to fund the Nicotail Avenue Pond project)</td>
<td>Stormwater Fees</td>
<td>200,000</td>
<td>200,000</td>
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<tr>
<td>Public Works</td>
<td>Solids Removal from outfalls with Alum Stations - Phase 2</td>
<td>Stormwater Fees</td>
<td>300,000</td>
<td>300,000</td>
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<tr>
<td>Public Works</td>
<td>Lake Sylvan Outfalls - Stormwater Retrofits</td>
<td>Stormwater Fees</td>
<td>150,000</td>
<td>150,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Lake Killarney Stormwater Outfall improvements (south from Fairbanks) - Stormwater Retrofits</td>
<td>Stormwater Fees</td>
<td>300,000</td>
<td>360,000</td>
<td></td>
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<tr>
<td>Public Works</td>
<td>Exfiltration within Golf Course Area - Phase 1</td>
<td>Stormwater Fees</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Lake Killarney Stormwater Outfall improvements (north from Lee Road) - Stormwater Retrofits</td>
<td>Stormwater Fees</td>
<td>250,000</td>
<td>260,000</td>
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<tr>
<td>Public Works</td>
<td>Exfiltration within Golf Course Area - Phase 2</td>
<td>Stormwater Fees</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
</tr>
<tr>
<td>Public Works</td>
<td>Lake Bell Outfalls - Stormwater Retrofits</td>
<td>Stormwater Fees</td>
<td>150,000</td>
<td>150,000</td>
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</tr>
</tbody>
</table>

Note: The stormwater capital improvement plan has been approved by the Lakes and Waterways Board.
<table>
<thead>
<tr>
<th>Department</th>
<th>Description</th>
<th>Funding Source</th>
<th>Estimated Total Cost</th>
<th>FY 2012</th>
<th>FY 2013</th>
<th>FY 2014</th>
<th>FY 2015</th>
<th>FY 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water and Sewer</td>
<td>Enterprise GIS &amp; data collection</td>
<td>Water and Sewer Fees</td>
<td>600,000</td>
<td>600,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water and Sewer</td>
<td>Rehabilitation of defective sewer mains with heavy ground water infiltration</td>
<td>Water and Sewer Fees</td>
<td>3,000,000</td>
<td>600,000</td>
<td>600,000</td>
<td>600,000</td>
<td>600,000</td>
<td>600,000</td>
</tr>
<tr>
<td>Water and Sewer</td>
<td>Rehabilitation of sanitary manholes to restore their structural integrity</td>
<td>Water and Sewer Fees</td>
<td>600,000</td>
<td>100,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
<td>125,000</td>
</tr>
<tr>
<td>Water and Sewer</td>
<td>Short Line Installation - for rehabilitation of sanitary sewer mains and laterals from the main to the property line</td>
<td>Water and Sewer Fees</td>
<td>1,450,000</td>
<td>250,000</td>
<td>300,000</td>
<td>300,000</td>
<td>300,000</td>
<td>300,000</td>
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<tr>
<td>Water and Sewer</td>
<td>Upgrade water mains - replacement of sub-standard water mains throughout the water distribution system</td>
<td>Water and Sewer Fees</td>
<td>2,650,000</td>
<td>500,000</td>
<td>500,000</td>
<td>550,000</td>
<td>550,000</td>
<td>550,000</td>
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<tr>
<td>Water and Sewer</td>
<td>Replacement of asbestos cement sanitary force mains deteriorated by hydrogen sulfide gas</td>
<td>Water and Sewer Fees</td>
<td>200,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
<td>40,000</td>
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<tr>
<td>Water and Sewer</td>
<td>Expansion of reclaimed water system</td>
<td>Bond Issue</td>
<td>4,260,000</td>
<td>500,000</td>
<td>1,250,000</td>
<td>1,250,000</td>
<td>1,250,000</td>
<td>1,250,000</td>
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<tr>
<td>Water and Sewer</td>
<td>Fairbanks Avenue Sewer Extension</td>
<td>Bond Issue</td>
<td>1,700,000</td>
<td>1,700,000</td>
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<tr>
<td>Water and Sewer</td>
<td>Sewer Impact Fees</td>
<td>Bond Issue</td>
<td>1,700,000</td>
<td>1,700,000</td>
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<tr>
<td>Water and Sewer</td>
<td>State Grant</td>
<td>Bond Issue</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Water and Sewer</td>
<td>Upgrading/renovating of Iron Bridge Regional Wastewater Treatment Facility (City of Orlando), City of Winter Park's share of the cost (funded by 2009 bonds)</td>
<td>Bond Issue</td>
<td>673,272</td>
<td>873,272</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Water and Sewer</td>
<td>Purchase of additional sewer treatment capacity at Altamonte Springs wastewater treatment facility</td>
<td>Water and Sewer Fees</td>
<td>1,500,000</td>
<td>500,000</td>
<td>1,000,000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ITS</td>
<td>Information Technology Infrastructure Upgrades (50% General Fund, 25% Water and Sewer Fund and 25% Electric Services Fund)</td>
<td>Water and Sewer Fees</td>
<td>197,500</td>
<td>35,000</td>
<td>37,500</td>
<td>37,500</td>
<td>42,500</td>
<td>45,000</td>
</tr>
<tr>
<td>Water and Sewer</td>
<td>Funding of facility replacement account for Public Works Complex Items (flooring, roofing, air conditioning &amp; paint)</td>
<td>Water and Sewer Fees</td>
<td>174,996</td>
<td>31,496</td>
<td>33,500</td>
<td>35,000</td>
<td>37,500</td>
<td>37,500</td>
</tr>
</tbody>
</table>

| Totals by Funding Source: |                               |                         |                     |         |         |         |         |         |
| Water and Sewer Fees   |                               |                         | 10,372,496          | 1,556,496 | 2,736,000 | 2,687,500 | 1,695,000 | 1,697,500 |
| Sewer Impact Fees      |                               |                         | 1,700,000           | 1,700,000 |         |         |         |         |
| State Grant            |                               |                         | 1,000,000           | 1,000,000 |         |         |         |         |
| Bond Issue             |                               |                         | 6,823,272           | 2,673,272 | 500,000 | 1,260,000 | 1,250,000 | 1,250,000 |

| Total                |                               |                         | 19,855,768          | 6,829,768 | 3,226,000 | 3,627,500 | 2,045,000 | 2,947,500 |

Note: Funding for Upgrading/Renovating of Iron Bridge Regional Wastewater Treatment Facility funded as part of Water and Sewer Refunding and Improvement Revenue Bond Series 2009. Bonds for the expansion of the reclaimed water system will be issued at some future date not yet determined.
CITY OF WINTER PARK  
SUMMARY OF CAPITAL PROJECTS  
ELECTRIC SERVICES FUND

<table>
<thead>
<tr>
<th>Department</th>
<th>Description</th>
<th>Funding Source</th>
<th>Estimated Total Cost</th>
<th>FY 2012</th>
<th>FY 2013</th>
<th>FY 2014</th>
<th>FY 2015</th>
<th>FY 2016</th>
<th>FY 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Electric Services</td>
<td>Routine Capital Improvements to improve the reliability of the electric system</td>
<td>Electric Fees</td>
<td>8,605,050</td>
<td>1,250,000</td>
<td>1,275,000</td>
<td>1,300,500</td>
<td>1,325,510</td>
<td>1,353,040</td>
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</tr>
<tr>
<td>Electric Services</td>
<td>Undergrounding of Electric Lines</td>
<td>Electric Fees</td>
<td>8,350,000</td>
<td>-</td>
<td>1,500,000</td>
<td>1,575,000</td>
<td>2,575,000</td>
<td>2,700,000</td>
<td></td>
</tr>
<tr>
<td>Electric Services</td>
<td>Construct Electric Operations Center and Warehouse</td>
<td>Electric Fees</td>
<td>1,025,000</td>
<td>1,025,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>ITS</td>
<td>Information Technology Infrastructure Upgrades (50% General Fund, 25% Water and Sewer Fund and 25% Electric Services Fund)</td>
<td>Electric Fees</td>
<td>197,500</td>
<td>35,000</td>
<td>37,500</td>
<td>37,500</td>
<td>42,600</td>
<td>46,000</td>
<td></td>
</tr>
<tr>
<td><strong>Totals by Funding Source:</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electric Services Fees</td>
<td></td>
<td></td>
<td></td>
<td>16,077,650</td>
<td>2,310,000</td>
<td>2,812,500</td>
<td>2,913,000</td>
<td>3,944,810</td>
<td>4,098,040</td>
</tr>
</tbody>
</table>

Note: No additional bond issues are anticipated in the period covered by this Capital Improvement Plan.