Meeting Called to Order

Invocation

Shawn Shaffer, Executive Director, Winter Park Library

Pledge of Allegiance

Approval of Agenda

Mayor’s Report

- Representative Mike Miller, House District 47
- Proclamation – Week of the Family
- Recognition – Parks and Recreation Accreditation Award

Projected Time

20 minutes
5 City Manager’s Report
   a. Change CRA Agency meeting date to December 14, 2015 at 2:30

6 City Attorney’s Report

7 Non-Action Items

8 Citizen Comments  | 5 p.m. or soon thereafter (if the meeting ends earlier than 5 p.m., the citizen comments will be at the end of the meeting) (Three (3) minutes are allowed for each speaker; not to exceed a total of 30 minutes for this portion of the meeting)

9 Consent Agenda
   a. Approve the minutes of October 26, 2015.
   b. Approve the following purchases and contracts:
      1. PR158750 to Duval Ford & Isuzu for seven (7) new 2016 Ford Interceptor SUV’s for Police Department; $204,407
      2. PR158793 to Nortrax Equipment Company for one (1) John Deere Backhoe Loader; $100,165
      3. PR158725 to Aquarius Systems for one (1) AE-12 Amphibious Excavator; $262,700
      4. Renewal of 3 year contract with Centurylink Sales Solutions, Inc. for dedicated Ethernet Services Upgrade and authorize the Mayor to execute agreements; $143,469
      5. Renewal of 5 year contract with Centurylink Sales Solutions, Inc. for dedicated Internet Services Upgrade and authorize the Mayor to execute agreements; $193,680
   c. Cancel the December 28, 2015 Commission meeting due to the holidays.
   d. Authorize the City Manager to negotiate a final contract with Interra health for an amount not to exceed $275,000 per year to implement an onsite medical and wellness clinic for employees and their dependents who are enrolled in the plan.

10 Action Items Requiring Discussion
   a. City Manager evaluation
   b. Golf Course renovation award (RFP-19-2015)
   c. Tree planting policy
## Public Hearings

<table>
<thead>
<tr>
<th></th>
<th>Projected Time</th>
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<tbody>
<tr>
<td>a.</td>
<td>10 minutes</td>
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<td>b.</td>
<td>5 minutes</td>
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<tr>
<td>c.</td>
<td>5 minutes</td>
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<tr>
<td>d.</td>
<td>10 minutes</td>
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<tr>
<td>e.</td>
<td>30 minutes</td>
</tr>
</tbody>
</table>

### a. Request of Bethel Baptist Church for the property at 347 West New England Avenue:
- Ordinance – To change the Future Land Use designation of Commercial to Central Business District (2)
- Ordinance – To change the zoning of Medium Density Multifamily Residential (R-3) District to Commercial (C-2) District (2)

### b. Ordinance – Amending the FY2015 adopted budget (2)

### c. Ordinance – Updating the ordinary high water elevations of the lakes and provide clarifications of waterfront review procedures and development standards (2)

### d. Ordinance – Library and Events Center bond (1)

### e. Request of Benjamin Partners, Ltd., Greenhouse Partners Ltd., and Garmet Ltd. for Amendments to the Development Order for the Ravaudage Planned Development (PD) as contained within:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, APPROVING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE RAVAUGAGE DEVELOPMENT.**

These amendments do not apply to 1035 North Orlando Avenue, 1235 Lee Road, 1006 Lewis Drive or 1231 Kindel Avenue within the Ravaudage PD. The requests include:

**Request of the Ravaudage PD for:** a Development Order amendment to the Ravaudage land use plan to provide entitlements for six properties added to the Ravaudage PD and for a development order amendment to provide for future entitlements based on additional future property acquisitions.

**Request of the Ravaudage PD for:** a Development Order amendment to the Ravaudage land use plan to provide for a minimum dwelling unit size of 500 square feet in size in lieu of the current 750 square foot minimum for the entire Ravaudage PD.

**Request of Benjamin Partners, Ltd. for:** Approval of a building setback variance to allow a 4’ 10” street-front setback on Lewis Drive in lieu of the required 15’ setback for a proposed mixed-use project which includes multi-family units, retail units, and a parking garage.
f. **Historic Preservation:**
   - Ordinance – Amending Chapter 58 “Land Development Code” Article VIII, “Historic Preservation” to provide clarity, improve the functionality, and revise the process and procedures for the Historic Preservation Board and staff, the designation of historic landmarks, historic resources and historic districts; the regulation, administration and enforcement concerning such designated landmarks, resources and district, and the certificate of review process; creating procedures for the demolition of properties identified in the Florida Master Site File and Historic Survey; amending provisions regarding tax exemptions for historic properties (1)
   - Resolution – Accepting recommendations for incentives for Historic Preservation from the Historic Preservation Board

### City Commission Reports

<table>
<thead>
<tr>
<th>12</th>
<th>City Commission Reports</th>
<th><em>Projected Time</em></th>
<th><em>Subject to change</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>a.</td>
<td>Commissioner Seidel</td>
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</tr>
<tr>
<td>b.</td>
<td>Commissioner Sprinkel</td>
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<td>c.</td>
<td>Commissioner Cooper</td>
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<td>d.</td>
<td>Commissioner McMacken</td>
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<td>e.</td>
<td>Mayor Leary</td>
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*10 minutes total*

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**appeals & assistance**

“If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.” (F. S. 286.0105).

“Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-599-3277) at least 48 hours in advance of the meeting.”
Below are issues of interest to the Commission and community that are currently being worked on by staff, but do not currently require action on the Commission agenda. These items are being tracked to provide the Commission and community the most up to date information regarding the status of the various issues. The City Manager will be happy to answer questions or provide additional updates at the meeting.

<table>
<thead>
<tr>
<th>issue</th>
<th>update</th>
<th>date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railroad crossing update</td>
<td>Grade crossing repairs included in a CIP managed by FDOT.</td>
<td>Notice to Proceed for construction expected mid November 2015.</td>
</tr>
<tr>
<td>Future tree plantings</td>
<td>Develop an agenda item for Commission to review planting policies.</td>
<td>November 9 agenda.</td>
</tr>
<tr>
<td>MLK (Rollins) Restroom</td>
<td>Contractor is currently building out interior of restroom.</td>
<td>Anticipate completion by the end of November 2015.</td>
</tr>
<tr>
<td>Historic Preservation Ordinance</td>
<td>Draft approved by the Historic Preservation Board on 10/14/2015.</td>
<td>Ordinance to be presented to the Commission on November 9.</td>
</tr>
<tr>
<td>Visioning Steering Committee</td>
<td>Inviting community to participate at <a href="http://www.visionwinterpark.org">www.visionwinterpark.org</a>.</td>
<td></td>
</tr>
<tr>
<td>New Hope Baptist Church Project</td>
<td>The exterior of the buildings, accessible restrooms, landscaping, parking and drainage have been completed and approved. The Pastor has requested a conditional use to change the use of the buildings to Fellowship Hall and Sunday School classrooms.</td>
<td>Tabled at the October 26 Commission meeting to come back to the Commission at a later date.</td>
</tr>
<tr>
<td>Street Performers ordinance</td>
<td>Park Avenue Merchant’s Association meeting 10/13 voted in favor. Parks Board meeting 10/28 in favor.</td>
<td>City Commission agenda on November 23 and December 14.</td>
</tr>
<tr>
<td>Progress Point property</td>
<td>Planning and Zoning Board work session on 11/3/2015 at 4:00 p.m.</td>
<td>Review outcome with City Commission on November 23, 2015.</td>
</tr>
<tr>
<td>City General Election</td>
<td>Qualifying begins noon, December 14, 2015 and ends noon, December 18, 2015</td>
<td>The Winter Park March 15, 2016 general election will be held with the Presidential Preference Primary Election. If necessary, a primary election will be held February 9, 2016.</td>
</tr>
<tr>
<td>Ward Park restrooms</td>
<td>Design is being completed on two new restrooms by the new soccer fields and adjacent to the existing restrooms at the Little League fields.</td>
<td>Bid packages will hit the street by the end of November. Anticipate saving money by bidding both together. Restrooms should be operational by Summer 2016.</td>
</tr>
</tbody>
</table>

Once projects have been resolved, they will remain on the list for one additional meeting to share the resolution with the public and then be removed.
REGULAR MEETING OF THE CITY COMMISSION  
October 26, 2015

The meeting of the Winter Park City Commission was called to order by Mayor Steve Leary, at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida. The invocation was provided by Mayor Steve Leary, followed by the Pledge of Allegiance led by six year old Nate Calvert.

Members present:  
Mayor Steve Leary  
Commissioner Greg Seidel (via Skype)  
Commissioner Sarah Sprinkel  
Commissioner Tom McMacken  
Commissioner Carolyn Cooper

Also present:  
City Manager Randy Knight  
City Attorney Kurt Ardaman  
City Clerk Cynthia Bonham

Approval of the agenda

City Manager Knight stated that the applicant has requested to defer Public Hearing ‘d’ (Rollins College) back to the P&Z Board to consider modifications to their zoning classification request.  Motion made by Commissioner McMacken to table this matter; seconded by Commissioner Cooper and carried unanimously with a 5-0 vote.

Commissioner McMacken inquired about item ‘d’ under the Mayor’s Report. Mayor Leary stated he only wanted to discuss the process thus far and the timing of the ordinance. Commissioner McMacken addressed the normal protocol where it takes a vote of the Commission to go on the next agenda for discussion.

Motion made by Commissioner McMacken to approve the agenda with moving Item ‘d’ under the Mayor’s Report to Non-Action items; seconded by Commissioner Cooper and carried with a 3-2 vote with Mayor Leary and Commissioner Sprinkel voting no and Commissioners Seidel, Cooper and McMacken voting yes.

Discussion ensued regarding Commissioner Seidel skyping for the meeting and the resolution and policy pertaining to this.

Mayor’s Report

a. Proclamation - Sam Jones Retirement

Mayor Leary presented Sam Jones with a proclamation and proclaimed October 26, 2015 as Sam Jones Day to recognize his 41 years of service. He wished him well upon his retirement.
b. Proclamation - World Stroke Day

Mayor Leary presented Valerie Greene, Founder and CEO of Bcenter, Global Stroke Resource, Inc. with a proclamation recognizing October 29, 2015 as World Stroke Day.

c. Proclamation – Feed the Need

Mayor Leary presented Patrick Chapin, Winter Park Chamber of Commerce President, with a proclamation to launch their third “Feed the Need” fundraiser to support the Second Harvest Food Bank. He proclaimed November 2015 as “Feed the Need Month” in the City. President & CEO, Second Harvest Food Bank Dave Krepcho thanked the City for their generosity and spoke about the many people they help feed.

d. Historic Preservation ordinance process discussion

Moved to Non-Action Items.

City Manager’s Report

City Manager Knight reported they will have the draft RFP for refuse services available for the Commission this Friday. He also stated we received six golf course proposals today from the RFP process and that the golf course committee will bring forth a recommendation. Mayor Leary asked for clarification about issues regarding the Rollins request coming before the Commission. Commissioner Cooper again asked about legal fees being paid for by developers and multi-family/visitors parking issues and comprehensive plan compatibility test lot split language. Mayor Leary asked about the policy regarding placing items under his report. Discussion ensued concerning the policy and what has taken place in the past.

a. Video Presentation – “Inside the City” Episode II: CRA

Communications Director Clarissa Howard presented a video about the CRA that was produced by our Communications Department and edited by cinematographer Edson Pacheco.

City Attorney’s Report

No report.

Non-Action Item

a. Historic Preservation ordinance process discussion

Mayor Leary stated he brought this up because of many people stating they did not believe there has been enough public input and notice regarding this ordinance. He
stated he was comfortable at the time with the November 9 date to bring the ordinance to the Commission but is now thinking they need to educate the public further before adopting the ordinance. Commissioner McMacken spoke about the amount of time this has been discussed, he believed enough education has been provided to the public, and wanted the November 9 date to remain. Commissioner Sprinkel addressed the importance of making sure all residents are educated. Commissioners Seidel spoke about the need for a work session to discuss the process of putting items on the agenda.

**Consent Agenda**

a. Approve the minutes of October 12, 2015.
b. Approve the following purchases and contract:
   1. Blanket Purchase Order to USA Services, Inc. for Mechanical Sweeping Services; $205,247.64; and piggyback contract renewal with USA Services, Inc. (City of Daytona Beach Contract No. 13-159).
   2. Blanket Purchase Order to South Seminole & North Orange County Wastewater for Operational Maintenance; $83,500.
   3. Blanket Purchase Order to City of Orlando for Iron Bridge Sanitary Sewer; $2,200,000.
   4. Blanket Purchase Order to City of Orlando for Asbury Sanitary Sewer; $400,000.
   5. Blanket Purchase Order to City of Altamonte Springs for Wholesale Sewer Treatment; $149,000.
   6. Blanket Purchase Order to Aetna for Admin fee & Stop/Loss Insurance; $768,168.
   8. Piggyback Orange County Contract Y14-1070-LC for Asphalt Milling and Resurfacing to Hubbard Construction Company; and authorize the Mayor to execute the contract.

**Motion made by Commissioner Cooper to approve the Consent Agenda; seconded by Commissioner Sprinkel and carried unanimously with a 5-0 vote.**

**Action Items Requiring Discussion**

a. Library report from consultant

Library Board of Trustees President Jeff Jontz and Library Executive Director Shawn Shaffer thanked the Commission for the allowing them to explore the possibility of a new library. They spoke about the importance of having a new library, that the task force was a good decision, the two comprehensive reports they prepared on the task force findings, and thanked the numerous residents who attended the public forums and workshops.
Julie Von Weller, Aci Architects, summarized the workshops held and the user experience survey.

John Cunningham, Aci Architects, addressed the Winter Park visual character from the workshops, the exterior architecture styles considered, the concept budget, and the community visual preferences. Discussion ensued regarding the breakdown of what it would cost citizens depending on the amount of the bond, whether to have a $25 million or $30 million bond amount, and who should be educating the public during the referendum.

**Motion made by Commissioner McMacken that we accept the final report from ACi; seconded by Mayor Leary.**

**Motion made by Commissioner McMacken to approve the general location of the new Library/Civic Center as shown in the report; seconded by Commissioner Sprinkel.**

**Motion made by Commissioner McMacken to direct staff to bring back an ordinance calling for a bond referendum to be held in conjunction with the City election on March 15, 2016 in an amount not to exceed $30,000,000; seconded by Mayor Leary.**

**Motion amended by Commissioner Sprinkel to make the not to exceed amount $25,000,000; seconded by Commissioner Cooper.**

The following spoke on this issue:

Joe Terranova, 151 N. Virginia Avenue, thanked everyone involved in this project. He stated we need to consider other locations because of the environmental impact to the park. He asked where this project fits into the City’s priority list.

Gary Sachek, 1034 Aloma Avenue, asked if this is the best place for the library, did not believe we need a parking garage there, and that he does not want to include the library in the same project as the civic center.

Bob Bendick, 1211 Oxford Road, spoke in favor of a new library but disagreed with the proposed location as he thought it should stay downtown.

Brooks Weiss, 1244 Via Salerno, spoke in favor of the library and civic center (and bond of $30,000,000) and of the great opportunity to set Winter Park apart.

Gene Sullivan, 2423 Via Sienna, spoke in favor of the library and the proposed location.

Barbara Chandler, 1048 Azalea Lane, spoke in favor of the library and that the library is a destination for people visiting the city.
Linda Heinl, 608 S. Phelps Avenue, spoke in favor of the library and location.

Daniel Butts, 120 W. Reading Way, spoke in favor of the library/civic center, the importance of it being a convenient destination and the great opportunity this is.

Nancy Shutts, 2010 Brandywine Drive, spoke in favor of the new library but expressed concerns with the reduction in size being proposed for the civic center and if we will lose the revenue from the civic center. She supported the $25,000,000 because of potential funding from other entities. She expressed concerns with the garage and hoped it would have sufficient spaces and could easily accommodate the elderly.

Gary Barker, Library Task Force member, commented that the task force reviewed other locations that were not City owned properties and determined the proposed location to be the best. He stated the site will be better off environmentally because of the new civic center building.

Mayor Leary explained the not to exceed amount is an “up to amount” and believed we would get donations to help fund the library/civic center.

Upon a roll call vote on the amendment to make the not to exceed amount $25,000,000, Mayor Leary and Commissioners Seidel, Cooper, and McMacken voted no. Commissioner Sprinkel voted yes. The motion failed with a 4-1 vote.

Upon a roll call vote to direct staff to bring back an ordinance calling for a bond referendum to be held in conjunction with the City election on March 15, 2016 in an amount not to exceed $30,000,000, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote to approve the general location of the new Library/Civic Center as shown in the report, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Upon a roll call vote that we accept the final report from ACi, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Recess
A recess was taken from 6:30 to 6:48 p.m.
Public Hearings:

a. Request of Erling Falk: Subdivision or lot split approval to divide the vacant property at 1295 N. Park Avenue, zoned R-1A, into two single family building lots

Planning Manager Jeff Briggs explained that there are no variances and that the Planning and Zoning Board recommended approval. Mr. Falk explained why they are asking to split the property.

Motion made by Commissioner McMacken to approve the subdivision/lot split request; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

b. Request of New Hope Baptist Church: Conditional use approval to use portable buildings on their church property for Sunday School classroom space and Fellowship Hall activities in conjunction with the church at 274 N. Capen Avenue

Planning Manager Jeff Briggs explained the August 2012 request to move two portable buildings onto the property for a pre-school that did not happen. They are now in need of Sunday school classrooms and are asking to change their conditional use to fit their current situation. He addressed the petition submitted in support of the request.

Commissioner Cooper asked about putting a time limit on this because the Commission agreed they were disappointed to see mobile homes being moved into the community but that she does understand the situation the church is in. Mr. Briggs stated their intention is not to replace these buildings with a permanent structure and that the pastor has used his own money to finish the renovations and that modular buildings under the code are as approvable as a regular building.

Building Director George Wiggins addressed this as being a manufactured building and that the City is prohibited from precluding them if it meets code. He explained that modular and manufactured buildings are essentially the same. He stated you could apply certain aesthetic criteria to it and explained the skirting that they installed around the foundation. Mayor Leary spoke about the need for more permanent skirting around the bottom.

Motion made by Mayor Leary to approve this with a solid skirting around the base (something from an architectural standpoint to help it blend in more with the surrounding communities); seconded by Commissioner McMacken for discussion purposes.
Discussion ensued regarding the previous approval which is not going to be used for child development as previously approved and that the City cannot disallow them. Attorney Ardaman provided options that the Commission can deny the conditional use, it can be a condition, and the applicant could come back with revisions to their proposal. Mr. Wiggins stated the Commission can make any conditions they wish to make it blend in with the neighborhood but the structure itself meets the code. Commissioner concerns were brought forward with allowing the structures because they do not blend in with the community and that they do not want this to be precedence setting.

Motion made by Commissioner McMacken to table the request and that staff go back and address this from an architectural standpoint and bring this back not looking like modular buildings but to look like a structure that is compatible with the neighborhood; seconded by Mayor Leary. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

c. Request of Bethel Baptist Church for the property at 347 West New England Avenue:

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE I, “COMPREHENSIVE PLAN” SO AS TO CHANGE THE FUTURE LAND USE DESIGNATION OF COMMERCIAL TO CENTRAL BUSINESS DISTRICT FUTURE LAND USE ON THE PROPERTY AT 347 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE. First Reading

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” AND THE OFFICIAL ZONING MAP SO AS TO CHANGE FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 347 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

This was a simultaneous public hearing. Attorney Ardaman read both ordinances by title. Planning Manager Jeff Briggs explained that the church originally purchased the property for overflow parking which has rarely been used for that purpose. The church has made the decision to sell the property and is asking for a zoning change to be able to market the property for commercial development. This is a vacant lot at the northeast corner of Virginia and New England Avenues.

Motion made by Commissioner Sprinkel to accept the comprehensive plan future land use ordinance on first reading (with the condition of the Planning and Zoning Board to establish a minimum five (5) foot front setback along New England Avenue); seconded by Commissioner McMacken. No public comments were made. Upon a roll call vote, Mayor
Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

Motion made by Commissioner Sprinkel to accept the zoning ordinance on first reading (with the Planning and Zoning Board condition of a five (5) foot setback on New England Avenue); seconded by Commissioner McMacken. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

d. Request of Rollins College for the College Arms property at 315 Holt Avenue:

This item was tabled at the beginning of the meeting and deferred back to the Planning and Zoning Board.

e. Request of Holler Hyundai dealership at 1150 North Orlando Avenue: Conditional use approval to expand the Holler Hyundai dealership

Planning Manager Jeff Briggs explained this request to expand the dealership to incorporate the former self storage property at the rear fronting on Solana and Dixon Avenues in order to provide for expanded vehicle sales, display and parking. He addressed the Planning and Zoning Board condition that the perimeter of the entire property be landscaped to city code requirements.

Motion made by Commissioner Sprinkel to approve the conditional use request; seconded by Commissioner McMacken.

Frank Herring, 1721 Palm Avenue, representing UP Development (Whole Foods), asked that the applicant require a similar type of landscape treatment that they have accomplished with the Lee Road extension and the 17/92 frontage.

Attorney Frank Hamner spoke about the entire property being already approved for automotive use, they have submitted a landscape plan that has gone further to come around Dixon Avenue; and there is code compliant landscaping on the fronts of the whole property which will be properly landscaped at that time. He further explained what they will be doing on the property.

Motion amended by Commissioner Cooper to request that the applicant provide a visibility triangle at Dixon Avenue and 17/92 with compatible landscaping to what he is doing similar to what he has on the south side of Fairbanks and Denning Avenues. The motion failed with a lack of a second.

Upon a roll call vote on the main motion to approve the conditional use request, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.
f. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2014–2015 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE. First Reading

City Manager Knight addressed this item that applies to FY 2015 and includes all the items talked about during the year with grants received, etc. Attorney Ardaman read the ordinance by title.

Motion made by Mayor Leary to accept ordinance on first reading; seconded by Commissioner Sprinkel. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

g. AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT REGULATIONS”, ARTICLE III, "ZONING” SECTIONS 58-87 SO AS TO UPDATE THE ORDINARY HIGH WATER ELEVATIONS OF THE LAKES WITHIN THE CITY AND PROVIDE FOR CLARIFICATIONS OF THE WATERFRONT REVIEW PROCEDURES AND DEVELOPMENT STANDARDS; PROVIDING FOR CODIFICATION, FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. First Reading

Attorney Ardaman read the ordinance by title. Planning Manager Jeff Briggs explained this ordinance revises the ordinary high water elevations in the zoning code that establish the point at which the lakefront or other waterfront setbacks are measured.

Motion made by Commissioner McMacken to accept ordinance on first reading; seconded by Mayor Leary. No public comments were made. Upon a roll call vote, Mayor Leary and Commissioners Seidel, Sprinkel, Cooper and McMacken voted yes. The motion carried unanimously with a 5-0 vote.

City Commission Reports:


b. Commissioner Sprinkel – Commented about students working with the community and their ideas of games in parks that impressed her.

c. Commissioner Cooper – Reminded about the Reverend Dawkins dedication for the Shady Park pavilion on November 14; and the Veterans Day celebration on November 6.

d. Commissioner McMacken – Spoke about the visioning session tomorrow at Mead Garden at 5:30 (Keynotes in the Park).

e. Mayor Leary – Spoke about the Cows n’ Cabs fundraiser event this past Saturday that raised a lot of money for two local charities.
The meeting adjourned at 7:40 p.m.

ATTEST:

______________________________
Mayor Steve Leary

______________________________
City Clerk Cynthia S. Bonham, MMC
### Purchases over $75,000

<table>
<thead>
<tr>
<th>vendor</th>
<th>item</th>
<th>background</th>
<th>fiscal impact</th>
<th>motion</th>
<th>recommendation</th>
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This is a Sole Source provider purchase.
### Contracts

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<thead>
<tr>
<th>vendor</th>
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<tbody>
<tr>
<td>4. Centurylink Sales Solutions, Inc.</td>
<td>Renewal for Dedicated Ethernet Services Upgrade – 3 Year Contract</td>
<td>Total 3 Year Cost of $143,469. Funding is budgeted annually and in approved FY16 budget.</td>
<td>Commission approve Renewal of 3 Year Contract with Centurylink Sales Solutions, Inc. for dedicated Ethernet Services Upgrade and authorize the Mayor to execute agreements.</td>
<td>The City is actively connecting facilities to a private fiber network which will reduces these costs as circuits are replaced.</td>
<td></td>
</tr>
<tr>
<td>5. Centurylink Sales Solutions, Inc.</td>
<td>Renewal for Dedicated Internet Services Upgrade – 5 Year Contract</td>
<td>Total 5 Year Cost of $193,680. Funding is budgeted annually and in approved FY16 budget.</td>
<td>Commission approve Renewal of 5 Year Contract with Centurylink Sales Solutions, Inc. for dedicated Internet Services Upgrade and authorize the Mayor to execute agreements.</td>
<td>The City is actively connecting facilities to a private fiber network which will reduces these costs as circuits are replaced.</td>
<td></td>
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</tbody>
</table>
subject
Cancellation of December 28, 2015 Commission meeting

motion | recommendation
Cancel the December 28, 2015 Commission meeting due to the holidays.

background
Traditionally, the City Commission has cancelled the second meeting in December.

alternatives | other considerations
Hold the meeting as scheduled or on another day.

fiscal impact
N/A
subject
Onsite Health Clinic

motion | recommendation

Staff requests the approval to authorize the City Manager to negotiate a final contract with Interra Health for an amount not to exceed $275,000 per year to implement an onsite medical and wellness clinic for employees and their dependents who are enrolled in the plan.

background
The concept of an onsite medical clinic for employees as a component of the medical program was first explored in 2008. At that time, the decision was made not to move forward based on the overall cost of the clinic compared to the potential savings in medical claims for the self-insured medical program. Many of the surrounding area municipalities did move forward providing us with an opportunity to continue to monitor the market place. Staff, along with our employee benefits consultant, Hylant, continued to review the available vendors and their value propositions. As the market matured, we noted that administrative expenses associated with the clinics were being reduced based on new competitors entering the market. Additionally, feedback on clinics nationally was positive.

While continuing to review the market, we implemented an onsite wellness coach with a clinical background to provide opportunities for our employees to improve their health status through coaching and interventions that are available either in the market or through our health plan. This provided us with valuable information about the struggles of some of our employees with maintaining a good health status. We have seen vast improvement with several departments through this engagement.
We also have this as an established trusted mechanism for encouraging appropriate usage of an onsite clinic. This will help maximize the return on the investment.

Currently the City budgets approximately $6 million for claims per year through the self-insured medical plan. Clinic use would eliminate claims for a portion of this cost. Additionally, there will be ER and urgent care claims avoidance as well. The largest savings, although difficult to quantify, is through health status improvement. An example is the stroke that is avoided as a result of medication compliance for the high blood pressure candidate. It is important to note that, unlike other evaluations on this medical model, we did not include savings from projected claims avoidance in the ROI. There are two reasons, we cannot assure that an event was actually avoided and therefore we cannot assure that the projection is realistic. We looked at the cost from a unit cost, cost to visit the clinic versus the claim that would have been generated through the medical plan, as the main driver of the ROI.

The City has existing space that can be repurposed to accommodate the clinic. Work to be done will be performed by existing staff. The space has been reviewed by all three finalist and they all agreed it is conducive for a clinic build and is already equipped with restrooms and wiring. The space is located just behind the public safety complex and was formerly used as the communications center.

RFP Process
Through our contract with Hylant, our employee benefits consultant, a request for proposal was issued. Hylant assured the request was sent to vendors that are well known and did research to find vendors that might be more competitive and creative who offered comparable services and had successful track records. We received responses from 6 different vendors with quotes for 9 different program options. All proposals were reviewed by the evaluation team. The responses ranged in predicted costs for first year operation from $265,000 to $984,000.

The three finalists selected were:
- Interra Health
- Marathon Health
- IMWell.

All three finalists were interviewed by a team consisting of:
- Michelle Nuener, City of Winter Park
- Peter Moore, City of Winter Park
- Rene Cranis, City of Winter Park
- Jack Bell, City of Winter Park
- Andria Herr, President – Hylant
- Amanda Alvarez, Client Service Representative – Hylant
- Carmen Arroyo, Client Service Executive – Hylant
- Dr. Nancy Rudner, Wellness Coach – City of Winter Park

While all three candidates were very viable options, Interra was the most competitive and the most flexible in terms of allowing the City to build a program that will have the most impact to our employees and their families.
The city could choose to not pursue the establishment of a health clinic.

**fiscal impact**

The total first year cost of the clinic represents about 4.5% of the total funding set aside for claims. It is anticipated that a portion of the $275k start-up cost and ongoing operating costs is already included in claims we pay today but would instead now be covered by the onsite health clinic, making some costs a wash. Aetna, our medical vendor has already agreed to fund $40,000 per year from their fees to implement the program, further reducing ongoing costs. It is notable that this was accomplished without an increase to the fees and staff believes that these costs can be absorbed as part of the funding set aside for claims in the already approved FY16 budget.
Table 1: Summary of Onsite Clinic Savings

<table>
<thead>
<tr>
<th>Year</th>
<th>Health Claims Diversion</th>
<th>Chronic Disease Reduction</th>
<th>Program Cost*</th>
<th>Total Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Claim Year</td>
<td>$171,385</td>
<td>$31,181</td>
<td>$205,644</td>
<td>$13,182</td>
</tr>
<tr>
<td>Gap Year</td>
<td>$178,710</td>
<td>$102,476</td>
<td>$177,340</td>
<td>$122,164</td>
</tr>
<tr>
<td>Year 1</td>
<td>$187,645</td>
<td>$205,042</td>
<td>$179,121</td>
<td>$232,800</td>
</tr>
<tr>
<td>Year 2</td>
<td>$197,027</td>
<td>$356,052</td>
<td>$180,991</td>
<td>$392,283</td>
</tr>
<tr>
<td>Year 3</td>
<td>$206,879</td>
<td>$497,043</td>
<td>$182,954</td>
<td>$542,172</td>
</tr>
<tr>
<td>Year 4</td>
<td>$217,223</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Year 5</td>
<td>$228,084</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Predicted 3 Year Savings: $368,147  
Predicted 5 Year Savings: $1,302,602

* See Table 7: Program Cost Detail for a breakdown of costs (includes flat-fee and predicted labs/vaccines)

Health Claims Diversion: Fee-for-service plan cost of claims that are predicted to be diverted to onsite clinic.
Chronic Disease Reduction: Savings realized by reducing the number of members with chronic disease.
Program Cost: Includes all fees paid to IH as described in proposal (ex. start-up fee, hourly rate, labs and vaccines).

Table 2: Direct Savings From Claims Diversion

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Claims</th>
<th>Diverted Claims</th>
<th>OnSite Clinic Cost</th>
<th>Savings</th>
<th>Average Utilization</th>
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<tbody>
<tr>
<td>Claim Year</td>
<td>$5,267,683</td>
<td>$171,385</td>
<td>$164,554</td>
<td>$6,831</td>
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<tr>
<td>Gap Year</td>
<td>$5,531,067</td>
<td>$178,710</td>
<td>$165,708</td>
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<tr>
<td>Year 1</td>
<td>$5,807,621</td>
<td>$187,645</td>
<td>$197,324</td>
<td>$9,679</td>
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</tr>
<tr>
<td>Year 2</td>
<td>$6,098,002</td>
<td>$197,027</td>
<td>$169,020</td>
<td>$28,008</td>
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<tr>
<td>Year 3</td>
<td>$6,402,902</td>
<td>$206,879</td>
<td>$170,801</td>
<td>$36,078</td>
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<tr>
<td>Year 4</td>
<td>$6,723,047</td>
<td>$217,223</td>
<td>$172,671</td>
<td>$44,552</td>
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<tr>
<td>Year 5</td>
<td>$7,059,199</td>
<td>$228,084</td>
<td>$174,634</td>
<td>$53,449</td>
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</tbody>
</table>

Total 5 Year Savings (employer + employee) = $152,408  
Employee = $37,725  
Employer = $114,683

Onsite clinic cost increases due to annual increase in lab and vaccine costs (= “annual cost trend adjustments”)

Table 3: Direct Savings From Reduction in Chronic Disease

<table>
<thead>
<tr>
<th>Chronic Disease</th>
<th>Diabetics</th>
<th>Hypertension</th>
<th>CAD</th>
<th>Program Cost</th>
<th>Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Claim Year</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Gap Year</td>
<td>$18,731</td>
<td>$2,762</td>
<td>$9,688</td>
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<tr>
<td>Year 1</td>
<td>$61,559</td>
<td>$9,076</td>
<td>$31,841</td>
<td>$8,320</td>
<td>$94,156</td>
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<tr>
<td>Year 2</td>
<td>$123,172</td>
<td>$18,160</td>
<td>$63,710</td>
<td>$8,320</td>
<td>$196,722</td>
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<tr>
<td>Year 3</td>
<td>$222,272</td>
<td>$29,674</td>
<td>$104,105</td>
<td>$8,320</td>
<td>$347,732</td>
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<td>Year 4</td>
<td>$298,582</td>
<td>$44,022</td>
<td>$154,439</td>
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<td>$488,723</td>
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<tr>
<td>Year 5</td>
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subject
City Manager Annual Review

motion | recommendation
Approve the amount, if any, of the merit increase for the City Manager.

background
Attached is a summary of the evaluations provided to the City Manager. In accordance with the FY 2016 budget, the City Manager is eligible for up to a 3.5% merit increase.

The scale used for employees is as follows:

<table>
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<tr>
<th>Rating</th>
<th>Eligible Increase</th>
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<tr>
<td>2 or below</td>
<td>up to 2.5%</td>
</tr>
<tr>
<td>2.01-3.0</td>
<td>2.6% to 3.1%</td>
</tr>
<tr>
<td>3.01-4.0</td>
<td>3.2% to 3.5%</td>
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</table>
City of Winter Park, Florida  
City Manager Performance Evaluation Summary  
Evaluation Period: 10/1/2014 - 9/30/2015

<table>
<thead>
<tr>
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<tbody>
<tr>
<td></td>
<td>Score</td>
<td>Weight</td>
<td>Score</td>
<td>Weight</td>
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<td>Weight</td>
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<tr>
<td>1. Core Values</td>
<td>3.75</td>
<td>10%</td>
<td>2.00</td>
<td>10%</td>
<td>3.00</td>
<td>10%</td>
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<tr>
<td>2. Leadership Competencies</td>
<td>3.40</td>
<td>45%</td>
<td>2.00</td>
<td>45%</td>
<td>3.00</td>
<td>45%</td>
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<tr>
<td>3. Job Functions</td>
<td>3.38</td>
<td>15%</td>
<td>2.00</td>
<td>15%</td>
<td>3.00</td>
<td>15%</td>
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<tr>
<td>4. Goals</td>
<td>3.75</td>
<td>30%</td>
<td>2.00</td>
<td>30%</td>
<td>3.00</td>
<td>30%</td>
</tr>
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</table>

Weighted Score: 3.54 2.00 3.00 3.70 3.00 3.05

Line Item Rating Levels:
4  Distinguished Performance
3  Commendable Performance
2  Effective Performance
1  Lacking Performance
0  Unacceptable Performance
agenda item

<table>
<thead>
<tr>
<th>Item type</th>
<th>Action Item Requiring Discussion</th>
<th>meeting date</th>
<th>November 9, 2015</th>
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<tbody>
<tr>
<td>prepared by</td>
<td>Jennifer Jones</td>
<td>approved by</td>
<td>City Manager</td>
</tr>
<tr>
<td>department</td>
<td>Administrative Services</td>
<td></td>
<td>City Attorney</td>
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<tr>
<td>division</td>
<td>Purchasing</td>
<td></td>
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<tr>
<td>board approval</td>
<td>yes</td>
<td>no</td>
<td>N/A</td>
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<tr>
<td>final vote</td>
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<td></td>
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<td>strategic</td>
<td>Exceptional Quality of Life</td>
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<td>Fiscal Stewardship</td>
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<tr>
<td>objective</td>
<td>Intelligente Growth &amp; Development</td>
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<td>Public Health &amp; Safety</td>
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<tr>
<td></td>
<td>Investment in Public Assets &amp; Infrastructure</td>
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<td></td>
</tr>
</tbody>
</table>

subject


motion | recommendation

Commission approve award to top ranked firm (final ranking will be completed Friday, November 6, 2015).

background

On August 24, 2015, the City Commission approved the inclusion of $1.2 million for the Winter Park Golf Course Renovation to be considered in the Fiscal Year 2016 budget. This budget was officially approved on September 28. The city issued a formal solicitation on September 25, 2015. Six responses were received. The Selection Committee met on November 2nd and short listed two companies: Full Circle Golf, and KCR Consulting. Oral Presentations will be held on November 6th, with final ranking and recommendation for award immediately following presentations at 3pm.

alternatives | other considerations

N/A

fiscal impact

$1.2 Million is included for this project in the approved FY16 budget.
Urban Forestry Tree Planting Policy Update

On January 13, 2014, the City Commission adopted the Urban Forestry Master Plan. On several occasions since that time the commissioners have stated they wanted to reconsider certain components of the plan. Those are as follows:

Staff is requesting policy decision on the following:

- The minimum planting strip width for shade trees shall be 6’.
- Should adjacent property owners have the ability to determine right of way tree placement, species, or option to maintain a vacancy?
- Should medium and understory tree planting be discontinued until all shade tree planting locations are filled throughout the city?

Background

- Minimum 6’ Planting strip for shade tree

  **Pros**
  
  Gives tree more adequate space to grow (optimum is 10’ planting strip)
  
  Reduces infrastructure damage
**Cons**
Landscape ordinance states a minimum of 7’ planting strip

Some places where trees are being removed are not eligible for replacement shade trees.

- **Adjacent property owner has input on tree planting process**

**Pros**
Potential for adjacent property owner to take ownership

**Cons**
Direct conflict with existing ordinance
Vacancy and or inconsistency in canopy
Potential to kill/remove tree
Potentially dysfunctional placement

- **Discontinue medium and understory planting until all shade vacancies are planted**

**Pros**
Shade canopy replenished more quickly

**Cons**
Promotes age, size, and species monoculture.
Some citizens would wait up to 2 years for a tree.
West side would remain virtually without trees because of small size of planting strips.

After consideration of these policies staff plans to continue to work on the following items:

- The landscape ordinance will be updated using current BMP’s and most recent urban forestry and arboricultural research.

- Completion of the inventory.

- Continue to participate in research as a member of the United States Forest Service that is working to address the lack of species diversity throughout Florida.

**fiscal impact**

- If a pathogen infested our current population of oak species and devastated the canopy the fiscal impact would be $24,464,000.00.
Subject: Ordinance to Establish Central Business District (CBD) Future Land Use and Commercial (C-2) Zoning on the Property located at 347 West New England Avenue.

This is a request by Bethel Baptist Church (property owner) seeking approval to change the existing Commercial Future Land Use (FLU) designation in the Comprehensive Plan to Central Business District (CBD), and to change the zoning of the property from Multi-Family (R-3) zoning to Commercial (C-2) zoning on the property located at 347 West New England Avenue.

Summary:

Bethel Baptist Church, located at 425 West Welbourne Avenue, has been the owner of this property since 1986. The property was originally purchased by the Church to be used as overflow parking. However, the Church has rarely used the property for that purpose. As a result, the Church has made the decision to sell the property and is seeking a change in zoning in order to be able to market the property for commercial development. The property is a vacant lot at the northeast corner of Virginia and New England Avenues. The lot measures 50 feet by 130 feet, and equals a total of 6,500-square feet.

BACKGROUND TO ZONING ON NEW ENGLAND:

When the Community Redevelopment Area (CRA) was established in 1994, one of the primary goals was to encourage the redevelopment of that portion of West New England Avenue from Pennsylvania to New York Avenue. To that end, the City administratively changed the Comprehensive Plan FLU Map in 1995 for all the properties affected to a Commercial FLU. In that way, anyone buying a property would know they were guaranteed to be able to get that property rezoned from residential to commercial. Commercial at that time, was defined as being rezoned to the C-3 or C-3A zoning district.

When the redevelopment of New England Avenue began in earnest, with the redevelopment of the Dexters building, the zoning needed for that density and building setback was Commercial Future Land Use with a C-2 zoning designation. The major difference between commercial C-3 zoning and C-2 zoning, is that C-3 has a 45% Floor Area Ratio (FAR) and 10 foot street setbacks, and the C-2 zoning has a 200% FAR and allows buildings with zero front setbacks right at the sidewalk. C-2 is the zoning used along Park Avenue, and in most of the CBD.
In turn, all of the successive redevelopment from 1995 to 2007 along New England Avenue between Pennsylvania and Virginia Avenues has been undertaken utilizing C-2 district zoning. This has been consistent with the original goal to emulate on West New England Avenue, the style, density and character of Park Avenue. The goal has also been to have the redevelopment continue down to New York Avenue, so the Park Avenue shopping district is physically connected to the Hannibal Square business district.

In this block from Virginia to New York Avenue several properties have also been changed to CBD FLU, and rezoned to C-2, although redevelopment has not yet occurred. In 2003, the City rezoned the former Grant Chapel property at 301 West New England Avenue to C-2. In June 2014 the City also changed the future land use to CBD and rezoned the properties at 298 and 313 West New England Avenue to C-2. This request would be consistent with those previous actions.

**Staff Recommendation:** Approval of an ordinance to establish CBD Future Land Use and C-2 Zoning on the Property located at 347 West New England Avenue.

**Planning and Zoning Board Summary:**

The P&Z Board was in agreement that the requested C-2 zoning was consistent with what has been granted to other properties along New England Avenue. The one issue discussed was the future front setback standards on New England Avenue. With no existing buildings in place, a zero foot front setback would be allowed. However to be comparable to the pattern of the buildings to the west, the P&Z Board decided to set a five foot front setback standard be established for this property to set the pattern of a 5 foot setback in this area.

**Planning and Zoning Board Recommendation:**

Motion made by Tom Sacha, seconded by James Johnston recommending approval of the request to amend Chapter 58, “Comprehensive Plan”, so as to change the Future Land Use designation of Commercial to Central Business District on the property at 347 West New England Avenue with the condition that the Ordinance establish a minimum five (5) foot front setback along New England Avenue.

Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Weldon recommending approval of the request to amend Chapter 58, Article III, “Zoning”, to change the zoning designation of medium density multi-family residential (R-3) to commercial (C-2) and subject to a five-foot (5’) setback on New England Avenue.

Motion carried unanimously with a 7-0 vote.
REQUEST OF BETHEL BAPTIST CHURCH TO: AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION OF COMMERCIAL TO CENTRAL BUSINESS DISTRICT ON THE PROPERTY AT 347 WEST NEW ENGLAND AVENUE.

REQUEST OF BETHEL BAPTIST CHURCH TO: AMEND THE OFFICIAL ZONING MAP SO AS TO CHANGE THE ZONING OF MEDIUM DENSITY MULTIFAMILY RESIDENTIAL (R-3) DISTRICT TO COMMERCIAL (C-2) DISTRICT ON THE PROPERTY AT 347 WEST NEW ENGLAND AVENUE.

Planning Manager Jeff Briggs presented the staff report and explained that this is a request by Bethel Baptist Church seeking approval to change the existing Commercial Future Land Use (FLU) designation in the Comprehensive Plan and Multi-Family (R-3) zoning to Central Business District (CBD) FLU and to Commercial (C-2) zoning on the property at 347 West New England Avenue. Bethel Baptist Church at 425 West Welbourne Avenue has been the owner this property since 1986. It was originally purchased by the Church to be used as overflow parking. However, the Church has rarely used the property for that purpose. As a result, the Church has made the decision to sell the property and is seeking a change in zoning in order to be able to market the property for commercial development. The property is a vacant lot at the northeast corner of Virginia and New England Avenues. The lot measures 50 feet by 130 feet, and equals a total of 6,500-square feet. In all these previous instances the staff recommendation was in favor of the CBD FLU and C-2 zoning. This was based on continuing the redevelopment pattern that had already occurred along New England Avenue. It also was based on the recognition that the City still has the review and approval control over all redevelopment since the Code requires Planning and Zoning (P&Z)/City Commission approval of any building/building addition over 500-square feet. Staff recommendation is for approval of the change to Central Business District Future Land Use and C-2 Zoning for the property at 347 West New England Avenue.

The applicant was present but did not wish to speak. No one wished to speak in favor of or in opposition to the request. Public Hearing closed.

The P&Z Board agreed that this change was consistent with those made by the City in the past for similarly situated properties.

Motion made by Tom Sacha, seconded by James Johnston recommending approval of the request to amend Chapter 58, “Comprehensive Plan”, so as to change the Future Land Use designation of Commercial to Central Business District on the property at 347 West New England Avenue. Motion carried unanimously with a 7-0 vote.

Motion made by Tom Sacha, seconded by Peter Weldon recommending approval of the request to amend Chapter 58, Article III, “Zoning”, to change the zoning designation of medium density multi-family residential (R-3) to commercial (C-2) and subject to a five-foot (5’) setback on New England Avenue. Motion carried unanimously with a 7-0 vote.
AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE”
ARTICLE I, “COMPREHENSIVE PLAN” SO AS TO CHANGE THE FUTURE
LAND USE DESIGNATION OF COMMERCIAL TO CENTRAL BUSINESS
DISTRICT FUTURE LAND USE ON THE PROPERTY AT 347 WEST NEW
ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN,
PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

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

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

WHEREAS, the owner of this property is desirous of amending the future land use
designation from Commercial to Central Business District; and

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

WHEREAS, the Winter Park Planning and Zoning Board, acting as the designated
Local Planning Agency, has reviewed and recommended adoption of the proposed
Comprehensive Plan amendment, having held an advertised public hearing on October 6,
2015, provided for participation by the public in the process, and rendered its
recommendations to the City Commission; and

WHEREAS, the Winter Park City Commission has reviewed the proposed
Comprehensive Plan amendment and held advertised public hearings on October 26, 2015
and November 9, 2015 and provided for public participation in the process in accordance with
the requirements of state law and the procedures adopted for public participation in the
planning process.

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

SECTION 1. Future Land Use Map Amendment. That Chapter 58 “Land
Development Code”, Article I, “Comprehensive Plan” future land use plan map is hereby
amended so as to change the future land use map designation from Commercial to Central
Business District on the property at 347 West New England Avenue, identified with the Parcel
ID# of 05-22-30-9400-40-130 and as more particularly described as follows:

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

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

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

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____________, 2015.

____________________________________
Mayor Steve Leary

Attest:

____________________________________
City Clerk
ORDINANCE NO.  

AN ORDINANCE AMENDING CHAPTER 58 “LAND DEVELOPMENT CODE” ARTICLE III, “ZONING” AND THE OFFICIAL ZONING MAP SO AS TO CHANGE FROM MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT ZONING TO COMMERCIAL (C-2) DISTRICT ZONING ON THE PROPERTY AT 347 WEST NEW ENGLAND AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the owner of a property at 347 West New England Avenue has requested a Zoning Map amendment consistent with the amended Comprehensive Plan, and the requested zoning text change will achieve conformance with the Comprehensive Plan for the property and such municipal zoning meets the criteria established by Chapter 166, Florida Statutes and pursuant to and in compliance with law, notice has been given to Orange County and to the public by publication in a newspaper of general circulation to notify the public of this proposed Ordinance and of public hearings to be held; and

WHEREAS, the Planning and Zoning Board of the City of Winter Park has recommended approval of this Ordinance at their October 6, 2015 meeting; and

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

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

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

SECTION 1. Official Zoning Map Amendment. That Chapter 58 “Land Development Code”, Article III, “Zoning” and the Official Zoning Map is hereby amended so as to change the zoning designation from Medium Density Multi-Family Residential (R-3) District to Commercial (C-2) District on the property at 347 West New England Avenue, identified with the Parcel ID# of 05-22-30-9400-40-130 and as more particularly described as follows:

SECTION 2. Voluntary Consent to Setback Limitations. Notwithstanding the general development standards of the Commercial (C-2) zoning district, the City hereby establishes, with the consent of the property owners, a minimum five (5) foot building front setback along the New England Avenue street frontage. No other development standard of the Zoning Code shall be restricted or limited in any fashion.

SECTION 3. 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 4. Conflicts. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall become effective upon the effective date of Ordinance _________. If Ordinance _________ does not become effective, then this Ordinance shall be null and void.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this _____ day of _____________, 2015.

______________________________
Mayor Steve Leary

Attest:

______________________________
City Clerk
September 21, 2015

Mr. Jeff Briggs  
City of Winter Park  
City Manager  
Winter Park, Florida  32789

Dear Mr. Briggs:

Bethel Missionary Baptist Church is the owner of property at 347 W. New England Avenue; Winter Park Florida. We purchased the property to use as overflow parking for the church. We no longer need the additional parking due to the size of our congregation and we have no plans to develop the lot.

Bethel wants to rezone the property to comply with the City’s Comprehensive Plan.

We would like to sale the property in the future. The eventual sale will be very important for the financial stability of Bethel Missionary Baptist Church.

If you need additional information, please contact me at 407-629-5741.

Regards,

Deacon Kevin Robinson, Trustee Chairman
Rev. Tyron Browder, Interim Pastor
Cynthia M. Henry, Church Clerk
**public hearing**

<table>
<thead>
<tr>
<th>Item type</th>
<th>Public Hearing</th>
<th>meeting date</th>
<th>November 9, 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>prepared by</td>
<td>Peter Moore</td>
<td>approved by</td>
<td></td>
</tr>
<tr>
<td>department</td>
<td>Administrative Services</td>
<td>City Manager</td>
<td>X</td>
</tr>
<tr>
<td>division</td>
<td>Budget &amp; Performance</td>
<td>City Attorney</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N</td>
<td>A</td>
</tr>
<tr>
<td>board approval</td>
<td></td>
<td>yes</td>
<td>no</td>
</tr>
<tr>
<td></td>
<td></td>
<td>N</td>
<td>A</td>
</tr>
<tr>
<td>final vote</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>strategic objective</td>
<td>Exceptional Quality of Life</td>
<td>Fiscal Stewardship</td>
<td>X</td>
</tr>
<tr>
<td></td>
<td>Intelligent Growth &amp; Development</td>
<td>Public Health &amp; Safety</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Investment in Public Assets &amp; Infrastructure</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**subject**

Ordinance Amending the FY15 Adopted Budget

**SECOND READING OF ORDINANCE**

**motion | recommendation**

Approve the ordinance adopting amendments made to the FY15 budget over the course of last fiscal year (2015).

**background**

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

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

**alternatives | other considerations**

N/A
**fiscal impact**

The majority of the amendments have been previously approved by the Commission and are either based on grants, use of reserves, or reallocation of surplus project funds.
ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE ADOPTED BUDGET AND ACCOMPANYING FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR 2014 – 2015 BY PROVIDING FOR CHANGES IDENTIFIED IN EXHIBIT A; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 2977-14, the City of Winter Park, Florida has adopted the Budget and Capital Improvement Program for the fiscal year 2014 – 2015; and

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

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

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

SECTION 1. The Budget and Capital Improvement Program for fiscal year 2014 – 2015 is hereby amended by providing for changes identified in Exhibit A.

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

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

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

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, held in City Hall, Winter Park, Florida this 9th day of November, 2015.

________________________________________
Steve Leary, Mayor

ATTEST:

________________________________________
Cynthia S. Bonham, City Clerk
<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
<th>Source Account</th>
<th>Source Acct. Name</th>
<th>Exp. Account</th>
<th>Exp. Acct. Name</th>
<th>Note</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pedestrian &amp; Bike Safety Grant</td>
<td>$47,000</td>
<td>001-0000-334.20-00</td>
<td>STATE GRANTS PUBLIC SAFETY</td>
<td>001-4104-521.14-10</td>
<td>OVERTIME</td>
<td>Overtime for enforcement of laws pertaining to bikes, pedestrians and motor vehicles as well as community education on pedestrian and bicycle safety.</td>
<td>Pending</td>
</tr>
<tr>
<td>Funding for Visioning</td>
<td>$115,000</td>
<td>001-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>001-2301-515.49-25</td>
<td>ECONOMIC DEVELOPMENT ACTV</td>
<td>Discussed by Commission at Aug 25, 2014 meeting to fund at $140k using ED and CRA funds.</td>
<td>10/13/2014</td>
</tr>
<tr>
<td>Lk. Forest/Howard Dr. Retention Pond</td>
<td>$249,000</td>
<td>303-0000-331.39-00</td>
<td>FEDERAL GRANTS</td>
<td>303-3406-602.01-53</td>
<td>LK. FOREST/HOWARD RET POND</td>
<td>Allocates funding reimbursable through a federal DEP grant.</td>
<td>10/27/2014</td>
</tr>
<tr>
<td></td>
<td>$142,399</td>
<td>303-3406-602.01-23</td>
<td>LAND LOCKED LAKES</td>
<td></td>
<td></td>
<td>Allocates surplus funding from another project account.</td>
<td></td>
</tr>
<tr>
<td>Forestry (Tree Grant money)</td>
<td>$20,000</td>
<td>001-0000-331.70-01</td>
<td>TREE GRANTS</td>
<td>001-6104-539.34-40</td>
<td>CONTRACTUAL SERVICE</td>
<td>Reflects receipt of second phase of urban forestry grant to cover cost of tree inventory work.</td>
<td>12/8/2014</td>
</tr>
<tr>
<td>Lee Rd Building Purchase</td>
<td>$1,000,000</td>
<td>001-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>301-0000-539.10-67</td>
<td>2600 LEE RD.</td>
<td>Purchase of 2600 Lee Rd property and allocates funds for demolition.</td>
<td>12/8/2014</td>
</tr>
<tr>
<td>Library Space Needs Study</td>
<td>$50,000</td>
<td>001-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>001-2301-515.34-54</td>
<td>CONTRACTUAL SERVICE</td>
<td>Funding for space needs study of proposed library project.</td>
<td>12/8/2014</td>
</tr>
<tr>
<td>Stormwater (GIS Mapping)</td>
<td>$22,000</td>
<td>303-3406-602.01-31</td>
<td>STORMWATER GIS MAPPING</td>
<td>102-3401-534.21-10</td>
<td>REGULAR WAGES</td>
<td>Reallocates project funds to pay for a temporary position to perform GIS mapping locates.</td>
<td>2/9/2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>102-3401-534.21-10</td>
<td>FICA TAXES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications (Graphic Arts Equipment)</td>
<td>$25,223</td>
<td>001-0000-369.90-10</td>
<td>OTHER MISC. REVENUE</td>
<td>001-1204-512.64-50</td>
<td>MACHINERY &amp; EQUIPMENT</td>
<td>Allocates a portion of funding from Communication's closed bulk mail permit to pay for graphic arts equipment.</td>
<td>2/9/2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>001-9200-585.04-10</td>
<td>CONTINGENCY RESERVE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemetery (Turf Truck &amp; Benches)</td>
<td>$2,300</td>
<td>605-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>001-6105-539.64-50</td>
<td>MACHINERY &amp; EQUIPMENT</td>
<td>Purchase benches for the babyland burial area.</td>
<td>4/27/2015</td>
</tr>
<tr>
<td>Stormwater (Fee in Lieu)</td>
<td>$56,978</td>
<td>303-0000-343.70-11</td>
<td>FEE IN LIEU RECEIPTS</td>
<td>303-3406-602.01-05</td>
<td>DRAINAGE IMPROVEMENT</td>
<td>One-time revenues to be allocated to general stormwater improvements.</td>
<td>5/8/2015</td>
</tr>
<tr>
<td>Public Works (TECO)</td>
<td>$7,000</td>
<td>001-0000-341.90-30</td>
<td>RIGHT OF WAY FEES</td>
<td>001-3112-539.13-10</td>
<td>SALARIES PART TIME</td>
<td>TECO ROW fees to cover cost for inspector to oversee gas main improvements.</td>
<td>5/8/2015</td>
</tr>
<tr>
<td>Building/ Permitting (Scanner)</td>
<td>$11,095</td>
<td>001-0000-382.42-11</td>
<td>BUILDING BALANCE CARRYFORWARD</td>
<td>001-2303-524.64-50</td>
<td>MACHINERY AND EQUIPMENT</td>
<td>Scanner for large format plans.</td>
<td>7/13/2015</td>
</tr>
<tr>
<td>Electric Warehouse and Fire Apparatus Bay Project</td>
<td>$1,015,000</td>
<td>406-2903-531.62-01</td>
<td>ELECTRIC WAREHOUSE FACILITY</td>
<td>301-0000-539.10-69</td>
<td>ELECTRIC WAREHOUSE AT PWC</td>
<td>Moves funding to the Capital projects fund to complete the Electric warehouse, Fire Apparatus Bay, and Electric operations office.</td>
<td>7/27/2015</td>
</tr>
<tr>
<td></td>
<td>$125,000</td>
<td>001-5103-522.64-50</td>
<td>MACHINERY &amp; EQUIPMENT</td>
<td>301-0000-539.10-70</td>
<td>FIRE STATION 64 RENOVATION</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Budget Amendments Requiring Commission Approval

**Fiscal Year 2014 - 2015**

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
<th>Source Account</th>
<th>Source Acct. Name</th>
<th>Exp. Account</th>
<th>Exp. Acct. Name</th>
<th>Note</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Library Design Work (ACI)</strong></td>
<td>$50,000</td>
<td>301-0000-369.90-10</td>
<td>OTHER MISC. REVENUE</td>
<td>301-0000-539.10-74</td>
<td>WINTER PK PUBLIC LIBRARY</td>
<td>Funds 2/3 of cost to do library designs. Other 1/3 to be paid by library.</td>
<td>7/27/2015</td>
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<tr>
<td></td>
<td>$108,750</td>
<td>001-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>301-0000-539.10-74</td>
<td>WINTER PK PUBLIC LIBRARY</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Cady Way Cycle Track</strong></td>
<td>$17,000</td>
<td>301-0000-366.95-00</td>
<td>PUBLIC WORKS DONATIONS</td>
<td>301-0000-539.10-63</td>
<td>BICYCLE &amp; PEDESTRIAN IMPROVEMENTS</td>
<td>Provides funding from KWPB and the Health Foundation to complete the Cady Way Cycle Track project.</td>
<td>9/28/2015</td>
</tr>
<tr>
<td></td>
<td>$10,000</td>
<td>101-0000-572.52-10 PR: KWPB</td>
<td>KWPB</td>
<td>301-0000-539.10-74</td>
<td>WINTER PK PUBLIC LIBRARY</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Building Interactive Voice Response</strong></td>
<td>$14,000</td>
<td>001-0000-382.42.11</td>
<td>BUILDING BALANCE CARRYFORWARD</td>
<td>001-2303-524.66-20</td>
<td>SOFTWARE</td>
<td>Upgrades and replaces the old IVR software and server which provided automated permitting scheduling and status updates to customers by phone.</td>
<td>9/28/2015</td>
</tr>
</tbody>
</table>

### CRA Budget Amendments

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
<th>Source Account</th>
<th>Source Acct. Name</th>
<th>Exp. Account</th>
<th>Exp. Acct. Name</th>
<th>Note</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SunRail at WP Art Fest</strong></td>
<td>$6,000</td>
<td>104-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>104-2306-515.34-40</td>
<td>CONTRACTUAL SERVICES</td>
<td>CRA paid $32k to have sunrail service at the art festival. $26k was reimbursed through outside contributions.</td>
<td>2/23/2015</td>
</tr>
<tr>
<td><strong>New CRA Projects</strong></td>
<td>$660,000</td>
<td>104-0000-382.10-00</td>
<td>FUND BALANCE CARRYFORWARD</td>
<td>104-2308-515.01-62</td>
<td>W. MORSE STREETSCAPE</td>
<td>17/92 intersection improvements and mast arms.</td>
<td>5/11/2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>104-2308-515.01-63</td>
<td>PARK AVE</td>
<td>Funds for clean-up and maintenance.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>104-2308-515.01-69</td>
<td>ADAPTIVE SIGNALIZATION</td>
<td>Lee Rd/17-92</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>104-2308-515.01-50</td>
<td>BUSINESS FAÇADE</td>
<td>Addl funding for small businesses.</td>
<td></td>
</tr>
</tbody>
</table>
Subject: Ordinance to Update the Ordinary High Water Elevation of the City’s Lakes and Clarify Lakefront Building Regulations.

SECOND READING OF ORDINANCE

This public hearing is primarily to consider an Ordinance to revise the ordinary high water elevations in the zoning code that establish the point at which the lakefront or other waterfront setbacks are measured. The elevation information used by FEMA to establish flood plain regulations and also used by surveyors has been the National Geodetic Vertical Datum of 1929 (NGVD 1929) based on a series of measurements from that time. Due to geographic differences across the nation, the base measurements were updated into the North American Vertical Datum of 1988 (NAVD 88). In 2009 FEMA converted all the flood plain maps across the nation to the NAVD 88 datum. From that time forward, surveyors have transitioned to the new elevations.

Summary:

As a result, the City needs to update the ordinary high water elevations referenced in the zoning code from the 1929 datum to the 1988 datum as current surveys reflect those numbers. The table below shows the changes between the two.

**City of Winter Park**

Ordinary High Water Elevations

**NGVD (1929) to NAVD (1988) Conversions**

<table>
<thead>
<tr>
<th>Lake Name</th>
<th>OHW NGVD (1929)</th>
<th>OHW NAVD (1988)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baldwin</td>
<td>91.5</td>
<td>90.7</td>
</tr>
<tr>
<td>Bell</td>
<td>89.4</td>
<td>88.6</td>
</tr>
<tr>
<td>Berry</td>
<td>70.0</td>
<td>69.4</td>
</tr>
<tr>
<td>Chelton</td>
<td>80.0</td>
<td>79.2</td>
</tr>
<tr>
<td>Forest</td>
<td>100.8</td>
<td>100.0</td>
</tr>
<tr>
<td>Grace</td>
<td>101.6</td>
<td>100.8</td>
</tr>
<tr>
<td>Killarney</td>
<td>82.8</td>
<td>82.0</td>
</tr>
<tr>
<td>Knowles</td>
<td>76.7</td>
<td>75.9</td>
</tr>
<tr>
<td>Maitland</td>
<td>66.5</td>
<td>65.7</td>
</tr>
</tbody>
</table>
This Ordinance also addresses some other situations with respect to the water front reviews conducted by the P&Z Board to match current practice or for clarifications as follows:

1. With respect to storm water retention on water front lots, the zoning code now has a prescriptive retention requirement for the first inch of runoff. Typically there is ample land area to meet that design volume because the 50 foot minimum lakefront setback sets aside ample land to accommodate that amount of retention. However, this first inch volume has been a hardship on properties with many large oak and/or cypress trees along the lakefront. Digging a retention swale deep enough or big enough for that volume can cause serious damage to the root systems of those trees jeopardizing their survival. In practice, what staff has recommended and what the P&Z Board has approved, is an alternative retention berm system in these situations, versus digging a swale. The retention berm accomplishes the goal of providing retention in a qualitative rather than quantitative manner. This Ordinance includes the code amendment to clarify that established process.

2. Similarly, the Ordinance also addresses the situations where setback relief is needed in order to encourage tree preservation. The P&Z Board already has that authority and has exercised it judiciously to ease the impact on lake views and this would extend to tree preservation.

3. Lastly, the current Ordinance is not easily understood with respect to the regulations on walls and fences on water front lots. These text revisions will make those rules more understandable without changing any of the content. The ordinance also establishes how much of the lake frontage (10% maximum) can be covered by at grade patios, decks, fire pits, etc.

**Staff Recommendation:** Approval of an Ordinance to update the Ordinary High Water Elevation of the City’s Lakes and clarify lakefront building regulations.

**Planning and Zoning Board Recommendation:**

Motion made by Tom Sacha, seconded by Peter Weldon recommending approval of the ordinance amending Article III, “Zoning”, Sections 58-87 so to update the ordinary high water elevations of lakes within the City and provide for clarifications of the waterfront review procedures. Motion carried unanimously with a 7-0 vote.
ORDINANCE NO. __________

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 “LAND DEVELOPMENT REGULATIONS”, ARTICLE III, "ZONING"_sections 58-87 SO AS TO UPDATE THE ORDINARY HIGH WATER ELEVATIONS OF THE LAKES WITHIN THE CITY AND PROVIDE FOR CLARIFICATIONS OF THE WATERFRONT REVIEW PROCEDURES AND DEVELOPMENT STANDARDS; PROVIDING FOR CODIFICATION, FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to clarify the development standards on waterfront properties within the City and to update the ordinary high water elevations for the most current data; and

WHEREAS, this Ordinance promotes the health, safety and welfare of the City residents; and

WHEREAS, words with double underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text.

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

Section 1. Chapter 58, Land Development Code, Section 58-87, Lakefront lots, canalfront lots, streamfront lots, wetlands, boathouses and docks, Subsections (d) (1), (3), (5), (6) (7) and (8) are hereby amended to read as follows:

* * *

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

(d) Other structures on lakefront, canalfront or streamfront lots. The following standards shall apply to all construction on lakefront, canalfront or streamfront lots:

(1) Lakefront, canalfront and streamfront lots shall be developed to maximize the amount of natural rainfall which is percolated into the soil and to minimize direct overland runoff into the water. With the exception of boathouses, docks or other over-water construction, storm water runoff from structures and other impervious surfaces shall be directed into swales or terraces on the lot or restrained by berms so as to provide for the on-site retention and percolation of the first one inch of runoff. Properties being developed or redeveloped shall eliminate any direct piped discharges of storm water into the water, so that this runoff is directed to the onsite retention and percolation areas. The planning and zoning commission board may require, as conditions necessitate, the submission of soil and water table information, topographic detail, drainage calculations and professionally designed plans so as to insuire these requirements are met. All storm water retention compliance shall prioritize the preservation of existing trees and the impacts of fill or excavation on tree root systems shall be minimized and the planning and zoning board shall have to authority to require berm or alternative retention methods and volumes where necessary to protect the root systems and survivability of existing oak and cypress trees.
(3) Structures on lakefront, canalfront or streamfront lots shall, to the extent reasonably possible, be designed and located to minimize their obstruction or degradation of traditional views to and through the property to the water. Structures in this context shall also include fences and walls. Structures shall also be located so that existing trees shall be preserved to the degree reasonable possible. The planning and zoning commission board may as conditions necessitate, reduce the height of structures, alter their location, size and design so as to accomplish this objective. The planning and zoning commission board shall also have limited authority to grant exceptions to the front and side setback standards when deemed necessary to accomplish this objective.

(5) Structures on lakefront lots require the approval of the planning and zoning commission board prior to the issuance of a building permit. As conditions necessitate the planning and zoning commission board or city commission may impose increased setbacks in concert with their waterfront review or conditional use authority as necessary to accomplish the objectives in this section. Structures in this context shall also include swimming pools, cabanas, gazebos, screen enclosures, tennis courts and other accessory buildings.

(a) Setbacks - Single family/duplex. The setback from the lake’s water’s ordinary high water elevation for single family and duplex buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall be the average established by the adjacent lake water front properties within 200 feet of the subject property, or 50 feet, whichever is greater. The planning and zoning commission board shall have the authority to approve lake water front and canal front setbacks less than the average determined above to a minimum of 50 feet in accordance with their lake water front review authority.

(b) Setbacks - Multi-family/non-residential/mixed use. The lake water front setback from the lake’s ordinary high water elevation for multi-family (3 or more units) or non-residential or mixed use buildings and any other accessory structures on those properties (other than boathouses, docks, over the water gazebos or retaining walls) shall correspond to the height of the proposed structure. For buildings and structures 35 feet in height or less, the lake water front setback shall be a minimum of 75 feet. As the height of the building or structure increases, for each one foot increase in height over 35 feet in height, the lake water front setback shall increase by two and a half (2.5) feet.

(c) Ordinary High Water Elevations. For convenience, the ordinary high water elevations of the city’s principal lakes are listed below. These elevations have been determined by the Florida Department of Environmental Protection (FDEP) Bureau of Survey and Mapping. All elevations reference NGVD (29 datum) NGVD (88 datum). For the canal and stream front locations, the ordinary high water elevations are to be provided by the public works department.

1. Lake Berry .... 69.4 feet 70.0 feet
2. Lake Killarney.... 82.0 feet 82.8 feet
3. Lake Maitland.... 65.7 feet 66.5 feet
4. Lake Mizell.... 65.7 feet 66.5 feet
5. Lake Osceola.... 65.7 feet 66.5 feet
6. Lake Sue.... 70.7 feet 72.5 feet
7. Lake Sylvan.... 71.2 feet 72.0 feet
8. Lake Virginia.... 65.7 feet 66.5 feet
9. Lake Bell.... 88.6 feet 89.4 feet
10. Lake Spier.... 89.7 feet 90.5 feet
11. Lake Forrest... 100.0 feet 88.9 feet
12. Lake Grace.... 100.8 feet 101.6 feet
13. Lake Rose.... 87.8 feet 88.6 feet
14. Lake Tuscany.... 69.1 feet 69.9 feet
15. Lake Baldwin.... 90.7 feet 91.5 feet
16. Lake Temple.... 66.6 feet

(6) Structures on canalfront or streamfront lots require the approval of the planning and zoning commission board prior to the issuance of a building permit. Other than boathouses, the waterfront setback shall be at least 50 feet from the canal bulkhead or stream. Structures in this context shall also include swimming pools and pool decks, screen enclosures, tennis courts, cabanas and other accessory buildings. Swimming pools and decks on canalfront or streamfront lots may be permitted a minimum of 25 feet from the canal bulkhead or stream ordinary high water elevation, provided the swimming pool has an elevation of no more than two feet above the existing grade on the side closest to the canal or stream. The planning and zoning commission board may require, as conditions necessitate, the imposition of increased setbacks to accomplish the objectives in this section.

(7) Fences or walls on lakefront, canalfront, or streamfront lots shall not be permitted to extend into the water beyond the ordinary high water elevation or into a canal beyond the bulkhead. Fences and walls shall not be permitted which run parallel to or across the lakefront, canalfront or streamfront anywhere within the 50-foot setback from the ordinary high water elevation. Fences but not walls may be permitted which run parallel to or across the lakefront, canalfront or streamfront on that portion of the land between the rear of the main structure and the 50-foot setback provided such fence does not exceed four (4) feet in height above existing grade. The 50-foot setback shall also apply to any Retaining walls, terrace walls, decks, railings or other structures higher than three feet above existing the lowest grade shall not be permitted within the 50-foot setback. Other accessory structures or improvements that do not exceed three (3) feet in height within the 50 foot setback such as walkways, railings, patios, decks, fire pits, etc. shall not cover more than ten (10%) percent of the land area within that 50 foot setback. Fences running down the sides of properties within the 50-foot setback or parallel to or across the waterfront shall be substantially open fences limited to the materials such as of aluminum picket, wrought iron, or green or black clad vinyl chain link which allow visibility across property lines and to the lake water. Wood shadow box fences shall not qualify as open fencing. The planning and zoning commission board may permit fences closer than the 50 feet but only on canalfront or streamfront lots as necessary to enclose swimming pools.

(8) Swimming pool and spa decks, patios and terraces shall not be constructed more than three feet in height above the average existing grade elevation on the lakeside edge of that deck, patio or terrace. In addition, the facade of these retaining walls facing the lake shall be screened with landscape plantings across the length of the retaining wall except for any sections involving stairs down to the lakefront. On lots with severe grade drops of over seven feet throughout the length of the house, the planning and zoning commission board may approve swimming pool and spa decks, patios and terraces higher than three feet above existing grade on the lake water side if approved by four members of the planning commission board.

Section 2. Incorporation Into Code. This ordinance shall be incorporated into the Winter Park City Code. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance and the City Code may be freely made.
Section 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 4. Conflicts. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 5. Effective Date. This ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Park, Florida.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, held at City Hall, Winter Park, Florida, on the _____ day of ___________________, 2015.

____________________________________
Mayor Steve Leary

Attest:

_________________________________
Cynthia Bonham, City Clerk
subject

Ordinance authorizing a bond referendum for the construction of a library and event center.

motion | recommendation

Approve the ordinance

background

At its October 26, 2015 meeting the City Commission voted to accept the final library/civic center report from ACi, approved the general location of the new facilities as the existing civic center site and set the not-to-exceed amount at $30,000,000.

The attached ordinance is required to call for the bond referendum. As drafted, it calls for the referendum to be held on March 15, 2016 in connection with the city’s general election. It establishes the not-to-exceed amount to be $30,000,000.

The ordinance has been reviewed by the City’s bond attorney, Ken Artin with Bryant Miller Olive.

If the referendum is approved by the voters, the city can issue bonds up to $30,000,000. It can issue bonds at a lessor amount but cannot exceed that amount.
alternatives | other considerations

The Commission could set a different not-to-exceed amount or a different referendum date.

fiscal impact

The fiscal impact will be determined by the final design approved by the City Commission.
ORDINANCE NO. _____

AN ORDINANCE CALLING A BOND REFERENDUM TO BE HELD ON THE QUESTION OF THE ISSUANCE OF NOT EXCEEDING $30,000,000 GENERAL OBLIGATION BONDS, SERIES 2016, OF THE CITY OF WINTER PARK, FLORIDA, TO FINANCE THE COST OF THE ACQUISITION AND CONSTRUCTION OF THE WINTER PARK LIBRARY AND EVENTS CENTER AND RELATED IMPROVEMENTS IN THE CITY; AUTHORIZING THE ISSUANCE OF SUCH BONDS IF APPROVED BY REFERENDUM; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA (the "Issuer"):

SECTION 1. AUTHORITY FOR THIS ORDINANCE. This ordinance is enacted pursuant to Chapters 100, 166, and 215, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. The City Commission of the Issuer (the "Commission") hereby determines that:

(a) it serves a public purpose and is in the best interest of the Issuer and the general public to issue General Obligation Bonds, Series 2016 (the “Bonds”) to finance the acquisition and construction of the capital improvements described in Exhibit "A" attached hereto, and all purposes incidental thereto (collectively, the "Project"); and

(b) the Project will be used for educational and cultural events and programs and have shared meeting spaces; and

(c) the individual components of the Project are united by a single public purpose and constitute a single project for the purposes of all applicable provisions of law.

SECTION 3. AUTHORIZATION OF BONDS. Subject and pursuant to the provisions hereof, the Bonds are authorized to be issued in the aggregate principal amount of not exceeding $30,000,000 to finance the Project. The money received from the issuance of the Bonds will be used for such purpose and for the benefit of the Issuer. The Bonds shall be
payable from ad valorem taxes levied without limitation as to rate or amount on all taxable property in the area of the Issuer. None of the Bonds shall be issued for a longer term than 20 years from their date of issuance, and such Bonds shall bear interest at such rate or rates not exceeding the maximum rate permitted by law on the date of sale of the Bonds.

SECTION 4. BOND REFERENDUM. A bond referendum of the qualified electors residing in the area of the Issuer is hereby called to be held on March 15, 2016 to determine whether or not the issuance of the Bonds, in an aggregate principal amount of not exceeding $30,000,000 shall be approved by such qualified electors to finance the cost of the acquisition and construction of the Project. All qualified electors residing in the area of the Issuer shall be entitled and permitted to vote in such bond referendum. The polls will be open at the voting places from 7:00 A.M. until 7:00 P.M. on the same day.

SECTION 5. NOTICE OF BOND REFERENDUM. As required by law, at least 30 days' notice of the bond referendum shall be provided. This ordinance shall be published in full as part of the notice of such bond referendum, together with an appropriate notice in substantially the form attached hereto as Exhibit "B," in the Orlando Sentinel or any other newspaper published and of general circulation in the area of the Issuer, at least twice, once in the fifth week and once in the third week prior to the week in which the bond referendum is to be held.

SECTION 6. PLACES OF VOTING, INSPECTORS, CLERKS. The places of voting and the inspectors and clerks for the polling places for the bond referendum shall be the same as in general elections held in the area of the Issuer.

SECTION 7. OFFICIAL BALLOT. The form of ballot to be used shall be in substantially the following form:

OFFICIAL BALLOT
CITY OF WINTER PARK, FLORIDA
BOND REFERENDUM – MARCH 15, 2016

Shall the City of Winter Park, Florida, issue not exceeding $30,000,000 general obligation bonds, bearing interest at not exceeding the maximum legal rate, maturing within 20 years from date of issuance, payable from ad valorem taxes levied on all taxable property in the City area, without limitation as to rate or amount, for the purpose of financing the Winter Park Library and Events Center to include library facilities, civic meeting and gathering facilities and related parking structure, and improvements, and all purposes incidental thereto; as provided in Ordinance No. ______?

Instructions to Voters:

If you are in favor of the issuance of the bonds, select "FOR BONDS."
If you are not in favor of the issuance of the bonds, select "AGAINST BONDS."

SECTION 8. ABSENTEE VOTING. Paper ballots shall be used at such election for absentee voting. The form of ballot to be used in the referendum for absentee voters shall be in substantially the form specified in Section 7 above.

SECTION 9. PRINTING OF BALLOTS. The Supervisor of Elections is authorized and directed to have printed a sufficient number of such ballots for use of absentee electors qualified to cast ballots in the bond referendum, and shall also have printed sample ballots and deliver them to the inspectors and clerks on or before the date and time for the opening of the polls for such bond referendum, for use at the voting places; and further is authorized and directed to have printed on plain white cardboard or paper and delivered in accordance with law, the official ballots for use in such bond referendum.

SECTION 10. REFERENDUM PROCEDURE. The bond referendum shall be held and conducted in the manner prescribed by law for holding general elections in the area of the Issuer, except as may be provided by Sections 100.201 through 100.351, Florida Statutes. The inspectors and clerks at each polling place shall prepare and file returns of such bond referendum and shall deliver the same to the Issuer. Such returns shall show the number of qualified electors who voted at such bond referendum, and the number of votes cast respectively for and against approval of the proposition. The returns shall, as soon as practicable, be canvassed by the Commission.

SECTION 11. REFERENDUM RESULTS. If a majority of the votes cast at such bond referendum shall be "For Bonds," such proposition shall be approved; and then the Bonds and, at the option of the Commission, bond anticipation notes, may be issued as hereafter provided by subsequent resolutions of the Commission.

SECTION 12. SEVERABILITY. In the event that any word, phrase, clause, sentence or paragraph hereof shall be held invalid by any court of competent jurisdiction, such holding shall not affect any other word, clause, phrase, sentence or paragraph hereof.

SECTION 13. REPEALING CLAUSE. All ordinances, resolutions or parts thereof in conflict or inconsistent with this ordinance are hereby repealed insofar as there is conflict or inconsistency.
SECTION 14. EFFECTIVE DATE. This ordinance shall take effect immediately upon its final passage and adoption.

ADOPTED after reading by title at a regular meeting of the City Commission of the City of Winter Park, Florida, City Hall, Winter Park, Florida, on this 23rd day of November, 2015.

______________________________
Mayor Steve Leary

ATTEST:

______________________________
Cynthia S. Bonham, City Clerk
EXHIBIT "A"

Description of Project

A new library and events center consisting of library facilities, civic meeting and gathering facilities and related parking structure, and improvements incidental thereto, and the demolition and removal of the existing civic center.
NOTICE IS HEREBY GIVEN THAT A BOND REFERENDUM will be held on March 15, 2016 in the City Winter Park, Florida (the "Issuer"), for the purpose of determining whether or not General Obligation Bonds, Series 2016, of the Issuer shall be issued in the aggregate principal amount of not exceeding $30,000,000, bearing interest at such rate or rates not exceeding the legal rate as shall be determined at the time of sale thereof, maturing over a period not to exceed 20 years from the date of issuance of such Bonds, payable from ad valorem taxes levied without limitation as to rate or amount on all taxable property in the area of the Issuer, for the purpose of financing the acquisition and construction of a municipal complex consisting of a library and events center which shall include library facilities, civic meeting and gathering facilities and related parking structure, and improvements incidental thereto, and the demolition and removal of the existing civic center; all as more specifically described and provided in Ordinance No. ___ of the Issuer (the "Ordinance").

The places of voting in the bond referendum shall be those same places of voting as for general elections held in the area of the Issuer. The polls will be open at the voting places on the date of the bond referendum from 7:00 A.M. until 7:00 P.M. on the same day, all as provided in the Ordinance published in full below as part of this notice.

All qualified electors residing within the area of the Issuer shall be entitled, qualified and permitted to vote at such referendum.

CITY OF WINTER PARK, FLORIDA

By /s/ Randy B. Knight, City Manager
1. Development Order amendment to the Ravaudage Land Use Plan to provide entitlements for six properties added to the Ravaudage Planned Development (PD).

2. Development Order amendment to the Ravaudage Land Use Plan to provide for a minimum dwelling unit size of 500 square feet in lieu of the current 750 square foot minimum for the entire Ravaudage PD.

3. Approval of a building setback variance to allow a 4’ 10’’ street-front setback on Lewis Drive in lieu of the required 15’ setback for a proposed mixed-use project.

Summary:

1. There are six properties that Benjamin Partners has acquired since the May 24, 2011 original approval by Orange County BCC of the Ravaudage PD. All of these six properties have been granted for PD-2 zoning by the City of Winter Park. The six properties total 43,613 square feet (1.02) acres.

   The City’s maximum City PD-2 entitlements are 25 units per acre and a 200% FAR. The maximum residential unit density for Ravaudage is 14.76 du/acre and the maximum FAR is 100% based on the May 24, 2011 approval by Orange County. Benjamin Partners has agreed to be bound by the lower thresholds from the original Ravaudage PD approval. Thus, the maximum added entitlements from these six properties based on 14.76 du/acre would be 15 units and the maximum FAR would be 100% FAR.

Development Review Committee Recommendation:

Motion made by Dori Stone, seconded by Michelle Neuner recommending approval of the request a Development Order amendment to the Ravaudage Land Use Plan to provide entitlements for six properties added to the Ravaudage Planned Development (PD).

Motion carried with a 4-0 vote.

2. Benjamin Partners has requested a Development Order Amendment to allow residential units with a minimum of 500-square feet in lieu of the current minimum requirement of 750-square feet throughout the Ravaudage PD. They feel that smaller sizes are very
popular with students, hospitality employees and young professionals. The developer also has many units in Hannibal Square that are under 600-square feet. The DRC agreed that with increased housing costs, these types of units are popular for young professionals and empty nesters and promote more affordable housing. The DRC also recognized that the minimum unit size within the City’s PD regulations is 450 square feet.

**Development Review Committee Recommendation:**

**Motion made by Dori Stone, seconded by Michelle Neuner recommending approval to allow residential units with a minimum of 500-square feet in lieu of the current minimum requirement of 750-square feet throughout the Ravaudage PD.**

**Motion carried with a 4-0 vote.**

3. Benjamin Partners is requesting a variance to a 4’ 10” street-front setback on Lewis Drive in lieu of the required 15’ setback for a proposed McCallister project comprised of a six-story mixed-use project which includes 55 apartments, approximately 14,000 square feet of commercial space and a 605 space parking garage. The rationale presented by Benjamin Partners is that the Lewis Drive Right of way is 70’ plus in order to add the storm water Miami curb, on street parking and a 14’ sidewalk the developer utilized 1.5’ of private property on both sides of the Lewis Drive roadway in order to achieve the 14’ sidewalk width. Per the December 8, 2014 City Commission minutes approval was granted for a six (6) story building directly opposite this proposed site on Lewis Drive with a 4’ – 10” setback. It was noted in the minutes that the wide 70’ Lewis Drive R/W was a key factor in approving the setback variance which was granted. This project on the Westside of Lewis Drive has been withdrawn and the project subject to this application on the Eastside is now being considered.

Special conditions to grant the requested Western Elevation 4’ 10” setback variance along Lewis Drive:

- a) Existing 70’ Lewis Drive right-of-way (R/W)
- b) Existing on street parking and 14’ sidewalks along Lewis Drive
- c) Proposed West elevation of the McCallister project has an open air covered pedestrian loggia that is 12’ – 10” deep

**Development Review Committee Analysis:**

The Development Review Committee mentioned that in December of 2014, the City Commission granted a 4’ 10” setback variance for the project to the west (American Land) of this proposed development. The Committee felt that this project has the same circumstances.

**Motion made by George Wiggins, seconded by Michelle Neuner recommending approval to allow a 4’ 10” street-front setback on Lewis Drive in lieu of the required 15’ setback for a proposed mixed-use project which includes multi-family units, retail units, and a parking garage. Motion carried with a 5-0 vote.**
RESOLUTION NO._______

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING AMENDMENTS TO THE AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE RAVAUDAGE DEVELOPMENT AS ORIGINALLY ADOPTED ON NOVEMBER 10, 2014, PROVIDING FOR CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, Daniels B. Bellows (Developer), and City of Winter Park previously entered into an Annexation Agreement dated April 9, 2012 and recorded in O.R. Book 10363, Page 1250, et seq, Public Records of Orange County, Florida, concerning property generally located at Lee Road and 17-92 in Winter Park, Florida and known as Ravaudage, in which the parties agreed that Developer's Development Order with Orange County dated May 24, 2011, (the Original Order") would govern the development of Ravaudage with a few modifications, as noted in the Annexation Agreement; and

WHEREAS, the Orange County Code applies to the development of Ravaudage under F.S. §171.062 and under the terms of the Annexation Agreement; and

WHEREAS, the Developer has requested certain additional amendments to the Original Order, which have been approved by the City's Development Review Committee at public hearings on March 25, 2014, April 15, 2014, and August 27, 2014, and by the City Commission at a public hearing on November 9, 2015, all in accordance with the procedure required by the Orange County Zoning Code, and those requested amendments are reflected in the Amended and Restated Development Order adopted on November 10, 2014; and

WHEREAS, the Original Order will continue to govern those parcels which are no longer owned by the Developer, which consist of the parcel at 1251 Lee Road, Winter Park, Florida, with a Parcel ID No. 01-22-29-3712-01-010, the vacant parcel at N. Orlando Avenue, Winter Park, Florida, with a Parcel ID No. 01-22-29-3712-01-131, and the parcel at 1006 Lewis Drive, Winter Park, with a Parcel ID No. 01-22-29-3712-02-150; and

WHEREAS, the City finds that these amendments to the Amended and Restated Development Order are consistent with the County Comprehensive Plan and the County Zoning Code, and is in the best interests of the citizens of Winter Park.

WHEREAS, words with double underline shall constitute additions to the original text and strike through text shall constitute deletions to the original text.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA:

SECTION 1. In recognition that six additional properties have been added to the Ravaudage PD comprising 43,613 square feet of new land area and pursuant to the existing Ravaudage entitlements of 14.76 units/acre and a 100% FAR, the Winter Park City
Commission does hereby amend on Page C-4 “Project Building Program Table” of the Ravaudage Land Use Plans regarding the residential and commercial unit counts/square footage, such that the Residential units be changed to 504 units in lieu of the previously approved 489 units, and the Commercial square footage be changed to 366,713-square feet in lieu of the previously approved 323,100-square feet to read as follows:

<p>| | |</p>
<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td>504 489 UNITS</td>
</tr>
<tr>
<td>COMMERCIAL</td>
<td>366,713 323,100 SF</td>
</tr>
<tr>
<td>OFFICE</td>
<td>891,000 SF</td>
</tr>
<tr>
<td>HOTEL</td>
<td>320 ROOMS</td>
</tr>
<tr>
<td>FIRE STATION</td>
<td></td>
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<tr>
<td>OPEN SPACE</td>
<td></td>
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</tbody>
</table>

SECTION 2. That the Winter Park City Commission does hereby amend on Page C-4 Development Data, Item #9 of the Ravaudage Land Use Plans regarding the minimum residential floor area per unit such that the minimum standard shall now be 500-square feet throughout the entire Ravaudage PD, in lieu of the previously approved 750-square feet to read as follows:

9. Minimum Residential Floor area per unit; 500 750 sf under heat and air.

SECTION 3. 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 4. CONFLICTS. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. 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 held in City Hall, Winter Park on this _______ day of________________ 2015.

_______________________________
Mayor Steve Leary

ATTEST:

_______________________________
City Clerk
Garage with approximately 605 stalls, complete
Ground level retail space is made up of 4 mercantile spaces and 2 restaurant spaces.

* Please see Approved Pond & Recreation Area Plan Sheet and
  Rancho San Revisados Phase 1 Map Sheet #2 for
  open space and recreational space previously approved
  at DRC meeting August 26, 2015.

* Per this approval 55 units on Block B have been
  covered the open ad Rec space.
RECREATIONAL AREA
AROUND POND 88,232 SF
AROUND CORNER FOUNTAIN 16,879 SF
INSIDE AMERICAN LAND 26,556 SF
TOTAL PROVIDED IN THE REVISED PHASE 1 MAP 113,667 SF / 2.6 AC

RESIDENTIAL UNITS REVISED PHASE 1 MAP
BLOCK UNITS PERSONS REC SPACE
G 268 603 90,666 SF
B 55 123.75 13,476 SF
C&D 90 90 9,801 SF
REQUIRED 88,943 SF / 2.041 AC

OPEN SPACE REQUIRED
NET DEVELOPABLE ACRES REVISED PHASE 1 MAP AREA: 22.20 AC
15% OPEN SPACE REQUIRED: 3.33 AC

PROVIDED OPEN SPACE:
POND: 46,734 SF / 1.07 AC
REC SPACE OUTSIDE: 85,111 SF / 1.95 AC
REC SPACE INSIDE 28,556 SF / 65 AC
TOTAL OPEN SPACE 3.67 AC
subject

An ordinance amending Chapter 58 of the City of Winter Park Land Development Code, Article VIII, Historic Preservation

motion | recommendation

Recognizing the changes to city policy associated with this Ordinance, the City Commission may move to adopt, adopt with changes or not adopt the proposed amendments to Chapter 58 of the City’s Land Development Code, Historic Preservation

Background

In 2001, the City Commission adopted the first Historic Preservation Ordinance and an update to the Florida Master Site File which is used to identify contributing resources and properties throughout the city. Subsequently, the city has amended the ordinance on two occasions, the last in 2006.

At its discretion, the Historic Preservation Board (HPB) has been reviewing the adopted ordinance for housekeeping amendments since 2011. In July 2013, the City Commission provided direction to the HPB and staff to prepare and present a series of documents to provide facts and research to support any amendments to the existing ordinance.

Throughout the past two years, staff has put together the following materials:

- Benchmarked and compared the city’s current ordinance to nine other communities including programs that are nationally recognized for their achievements
• Conducted an opinion survey of contributing properties in Winter Park about the city’s historic preservation process, successes, shortcomings and recommended changes
• Updated the 2001 Florida Master Site File Survey to include current designations, districts and remove demolitions
• Looked at local public/private models in historic preservation
• Researched possible incentives that may encourage historic preservation designation

Major proposed amendments to the adopted Ordinance include:

• A revised policy and objectives for the city’s historic preservation program
• Expanded definitions and terms used throughout the ordinance
• Recommendations for three specific seats on the HPB to include
  o One member who is a licensed architect
  o One member who owns or lives in a designated resource or district
  o One member versed in local history – this member may also be any of the seven serving members
• Clarification of the functions, powers and duties of the HPB
  o Requires an annual review of all rules and procedures
• Changes to individual and district designations
  o Expansion of the four National Register of Historic Places guidelines to seven criteria based on the guidelines as well as the qualification of the age of the resource
  o Requires at least 50% of any resources within any proposed district nominations to meet two or more of the criteria
  o Requires proposed districts be geographically contiguous and wherever possible be on both sides of the street or cul-de-sac
  o Requires a 12 month waiting period before any new application is accepted if a proposed district is not successful
• Changes to designation criteria
  o Individual properties or resources
    ▪ Removes individual nomination authority from HPB members or individual city commissioners to property owners only
  o Historic district nominations
    ▪ Petition must be submitted by 20% of proposed district property owners and requires that half of the petitioners shall be owners of individually designated historic homes or contributing homes in the proposed district
    ▪ Expands requirements for district nomination petition to include
      o at least 50% of the homes in the proposed district are individually designated homes or contributing homes
      o explaining the significance of the district
      o the two or more criteria that apply to the proposed district
      o district boundaries
      o district design standards
• Requires additional notification and evaluation by city staff to all property owners within a proposed district
• Changes the favorable vote of property owners within a proposed district from two-thirds to fifty-eight percent (58%)
• All nominated districts will go to the HPB for recommendation to the City Commission
• The City Commission has final authority of the creation of historic districts and all districts approved by the City Commission will be created by ordinance

• Clarification of certificate of review criteria for all designated historic landmarks, historic resources, contributing and non-contributing properties within a designated historic district, city owned historic properties and historic properties that have received façade or preservation easements
• Changes maximum size of garage apartments from 1,000 square feet to 750 square feet
• Changes to procedures for demolition of contributing properties not designated as historic resources
  o For properties that are candidates for the National Register of Historic Places
    ▪ The city shall have an additional 60 days above the required 30 days to issue a demolition permit providing the permit requirements have been met
    ▪ Purpose is to facilitate and encourage the consideration of alternatives to demolition
    ▪ City staff to notify property owner and schedule for the next HPB meeting for consideration of alternatives
    ▪ HPB’s role is to consider alternatives including moving or relocating the property, purchase of the property through either private or public funds, preserving historic elements of the property
    ▪ If no alternatives are available, the owner shall notify city staff and a demolition permit may be granted regardless of the remaining time period
  o For properties on the Florida Master Site File Survey but are not eligible for the National Register of Historic Places
    ▪ The city shall have an additional 30 days above the required 30 days to issue a demolition permit
    ▪ Staff is authorized to review possible alternatives and will notify the HPB at their next scheduled meeting
    ▪ Staff has the ability to release the demolition permit if no alternatives are available
  o In no case can the HPB deny a demolition permit
• Ordinance outlines state historic incentives for registered resources and tax exemptions

Staff has identified numerous incentives that could be made available to individuals and districts considering historic designation. The attached Resolution includes endorsement of these incentives recognizing that incentives with financial implications will require the establishment of
additional policies and funding sources. Recognizing the fact that the City Commission has not allocated funding for any of these incentives, staff is recommending a change to the Resolution to incorporate the need for further policy implementation and funding for any incentives that are financially based. The proposed list of incentives is also attached. The HPB intends to work through these incentives and offer additional recommendatons for city contributions or proposed changes to the city’s Land Development Code to implement these changes.

The Historic Preservation Board has held 30 meetings since July 2013 reviewing these proposals including four public forums, which were noticed in the Winter Park/Maitland Observer. The HPB also had assistance from a community group that offered extensive amendments for consideration.

The HPB took action on the proposed amendment on October 14, 2015 recommending the amendment to the City Commission on a 6-1 vote.

At the direction of the HPB, the City Attorney offered some minor changes to ensure consistency with the Land Development Code and internal consistency within the Ordinance.

alternatives | other considerations

Options other than amending Article VIII, Historic Preservation for consideration:
1. The City Commission can choose to not adopt the proposed changes to Chapter VIII and allow the existing Code to remain in place;
2. The City Commission can send the ordinance back to the HPB for further review with additional direction including select sections;
3. The City Commission may choose to adopt the ordinance with a delayed effective date to allow an update to the Master Site File Survey data clarifying individually contributing properties; or
4. The City Commission can modify the ordinance and adopt as modified.

fiscal impact

Several of the incentives offer financial options that will require consideration for funding by the City Commission.
ORDINANCE NO.__________


WHEREAS, the City Commission of the City of Winter Park, Florida (“City”), recognizes that the City has within its jurisdiction a significant number of historic resources, structures and properties; and

WHEREAS, the City Commission recognizes that the identification, protection, enhancement and use of such resources provides a public purpose; and

WHEREAS, the City Commission recognizes that these historic resources, structures and properties constitute valuable assets that contribute to the charm and appeal of the City and create a unique environment for both residential and commercial pursuits, thereby providing significant and substantial economic benefit to the City; and

WHEREAS, the City Commission wishes to take advantage of all state and federal policies and programs for assistance and grants for the study, preservation, rehabilitation or restoration of historic buildings, districts and sites for the benefit of the public: and

WHEREAS, the City Commission desires that more property owners seek voluntary designation of their properties as historic landmarks or historic resources; and
WHEREAS, the City Commission desires that more property owners in areas with a concentration of historic landmarks or historic resources, seek designation of their areas as historic districts, through the use of the procedures set forth herein; and

WHEREAS, the City Commission desires to implement additional economic incentives to encourage owners of historic structures to seek voluntary designation of such structures as historic landmarks or historic properties, or designation of their neighborhoods as historic districts; and

WHEREAS, the regulations herein are consistent with the City’s Comprehensive Plan; and

WHEREAS, the City Commission desires to encourage the preservation and restoration of the City’s historic resources, structures and properties for the benefit of the public:

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

SECTION 1. That Chapter 58 “Land Development Code”, Article VIII "Historic Preservation" of the Code of Ordinances is hereby amended and modified as shown in Exhibit A (Attached).

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 - CODIFICATION. It is the intention of the City Commission of the City of Winter Park, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Winter Park, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to “Section,” “Article,” or other appropriate word. The City Clerk is given liberal authority to correct scriveners’ errors, such as incorrect code cross references, grammatical, typographical and similar or like errors when codifying this Ordinance.

SECTION 4 - CONFLICTS. All ordinances or portions or ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5 – 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 ________, 2015.
Mayor Steve Leary

ATTEST:

_____________________________
Cynthia S. Bonham, City Clerk
ARTICLE VIII. - HISTORIC PRESERVATION

FOOTNOTE(S):

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Editor’s note—Ord. No. 2688-06, § 1, adopted Oct. 9, 2006, amended Art. VIII in its entirety to read as herein set out. At the editor’s discretion, the provisions of Ord. No. 2675-06 have been renumbered to preserve the style of this Code and the original section numbers have been included in the history notes for future reference. Former Art. VIII, §§ 58-433—58-459, 58-463—58-470, 58-476—58-482, pertained to similar subject matter, and derived from Ord. No. 2425-01, § 1, adopted June 28, 2001; Ord. No. 2446-01, § 1, adopted Nov. 13, 2001.

DIVISION 1. – GENERALLY

Sec. 58-433. - Short title; intent and purpose.

(a) Short title. This article shall be cited as the Winter Park Historic Preservation Code.

(b) Intent and purpose

(1) The purpose of these regulations is to establish the framework for a comprehensive historic preservation program in the city.

(2) It is the policy of the city to promote the educational, cultural, and economic welfare of the public by preserving and protecting historic structures, sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the city, state, or nation. Furthermore, it is the purpose of this article to strengthen the economy of the city by stabilizing and improving property values in historic areas, and to encourage new buildings and development that will be harmonious with existing historic buildings and districts. To achieve the following objectives:

a. Safeguard the heritage of the city by encouraging the preservation of historic resources representing significant elements of its history;

b. Enhance the visual character of the city by encouraging the preservation of these buildings which make a significant contribution to the older neighborhoods of the city particularly to the designated historic register structures reflecting unique and established architectural traditions;

c. Foster public appreciation of and civic pride in the beauty of the city and the accomplishments of its past;

d. Strengthen the economy of the city by protecting and enhancing the city’s attractions to residents, tourists and visitors;

e. Promote the private and public use of historic resources for the education, prosperity and general welfare of the people; and

f. Stabilize and improve property values within the city.

(3) In addition, the provisions of this article will assist the city and private property owners to be eligible for federal tax incentives, federal and state grant funds, property tax abatement, and any other incentive programs for the purpose of furthering historic preservation activities.
Sec. 58-434. - Definitions.

The following words, terms and phrases, as used in this article, shall have the meanings set forth below except where the context clearly indicates a different meaning.

Addition means a construction project physically connected to the exterior of an historic building or that increases the gross floor area of the building.

Administrative review means the process by which the planning and community development director or his/her designee may approve, approve with conditions, or deny certain types of permit applications for alterations or additions allowed by the HPB and based upon the standards in section 58-469 to an individually designated property or property located in a designated historic district.

Alteration means any change affecting the exterior appearance of an existing structure or improvement by additions, reconstruction, remodeling, maintenance or structural changes involving exterior changes in form, texture, materials or color, or any such changes in appearance in a designated historic property or specially designated historic site, or district. In designated local historic districts, alterations shall be in keeping with the design guidelines established for the district per section 58-457(2) (b) (5).

Applicant means an individual or group, a property owner or owners who provides(s) sufficient written information to the city to ascertain that their property potentially meets the minimum eligibility requirements for local historic designation, or who is applying for a certificate of review.

Archaeological site means a single specific location that has yielded, or based on previous research is likely to yield, information on local history or prehistory.

Certificate of review means a written document approved the approval process by the Winter Park Historic Preservation Commission-Board allowing an applicant to proceed with approved exterior alterations, additions, relocation, new construction, or demolition of, or other work to, a designated historic landmark building, historic resource, historic landmark site or property in a historic district, following a determination of the proposal’s suitability to applicable criteria.

(1) Standard certificate of review: Those certificates based upon such specific guidelines and standards as may be recommended by the Historic Preservation Board for which administrative issuance, by the city, has been authorized upon findings that proposed actions are in accord with such official guidelines and standards.

(2) Special certificate of review: Those certificates involving the demolition, removal, reconstruction, exterior alteration or new construction, which require determination by the Historic Preservation Board during a public hearing before such certificate can be issued.

City means the City of Winter Park.

Contributing element means a building or structure that contributes to the historic significance of a district, which by location, design, setting, materials, workmanship, feeling, and/or association adds to the district’s sense of time, place and historic development and meets two or more of the National Register of Historic Places base criteria set forth in section 58-456(1).

Demolition means an act or process that destroys or razes, in whole or in part, a building structure or site, including a building within a district, or which permanently impairs its structural integrity.

Designated property (or designated properties) means a property or properties that have been designated as historic landmark(s) or historic resource(s) under Division 3 of this Article VIII.

Florida Master Site File means the State of Florida’s official inventory of historical and cultural
Ordinance No. ______________

Categories of resources recorded at the Site File include archaeological sites, historical structures, historical cemeteries, historical bridges and historic districts. The Site File also maintains copies of archaeological and historical survey reports and other manuscripts relevant to history and historic preservation in Florida.

**Historic district** means a geographically defined area possessing a significant concentration, linkage, or continuity of landmarks, resources, improvements, or landscape features united by historic events or aesthetically by plan or physical development, and which area has been designated as an historic district pursuant to procedures described in this article. Such district may have within its boundaries noncontributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks or resources, nevertheless contribute to the overall visual character of the district.

**Historic landmark or resource** means any prehistoric or historic site, building, structure, landscape feature, improvement, or archaeological site which has been designated as an historic landmark or resource pursuant to procedures described in this article. That is of historical, architectural or archaeological value.

**Historic landmark** means buildings, structures, or sites of specific and exceptional historic or aesthetic significance to the city, state or nation. Historic landmarks may be associated with historic personages or events or embody exceptional architecture, or may be the work of a master designer or architect.

**Historic Preservation Commission (HPC) Board (HPB)** means the City of Winter Park Historic Preservation Commission Board as created by sections 58-441 and 58-442 58-445 and 58-446.

**Historic resource** means any prehistoric or historic site, building, structure, landscape feature, improvement, or archaeological site that is of historical, architectural or archaeological value.

**Historic survey** means the results of a systematic process of identifying determined by the Historic Preservation Board to identify significant buildings, sites and structures through visual reconnaissance and research for compilation in the Florida Master Site File maintained by the Bureau of Historic Resources in Tallahassee, Florida.

**Improvement** means any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, fountain, sign, work of art, earthworks, or other manmade object constituting a physical betterment of real property or any part of such betterment.

**Multiple property nomination** means a group of related significant properties that share common themes, and are organized by historic contexts and property types.

**National Register of Historic Places** means a federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966, as amended.

**Non-contributing element** means a building or structure located within the boundaries of a historic property or district that does not contribute to the historic significance of the district or property by virtue of its age, location, design, setting, materials, workmanship, feeling, and/or association.

**Ordinary repairs and maintenance** means any:

1. Work done on any improvement, which does not involve a change of design, appearance or material.
2. Replacement of any part of an improvement where the purpose and effect of such work or replacement is to correct any deterioration, decay of, or damage to such improvement or any part thereof and to restore the same as nearly as may be practicable to its condition prior to the occurrence of such deterioration, decay or damage.

**Property** means land and the buildings and improvements on it.
**Property owner** means the individual or entity in possession of title for land and the buildings and improvements on it.

**Reconstruction** means the process of reproducing, by new construction, the exact form and detail of a demolished building, structure or object as it appeared at a certain point in time.

**Rehabilitation** means the process of repairing or altering a historic building so that an efficient contemporary use is achieved, while preserving those significant historical, architectural or cultural features that establish the character of the property.

**Relocation** means the act of preserving a historic structure, which cannot remain on its existing site, by physically moving it to a new location.

**Renovation** means the act of making changes and repairs so that a historic structure is back in good condition.

**Restoration** means the act of accurately recovering the form and details of a property as it appeared at a particular period of time, which may involve the removal of later additions or alterations, or the replacement of missing features.

**Standards for Rehabilitation** (36 CFR 67) as periodically revised in 1990 means the standards provided by the National Park Service and the Secretary of the Interior that provide guidance on the sensitive rehabilitation of a historic property. The standards generally address issues that include; character defining elements; changes which have occurred over the course of the property's history; desirable approaches to the repair of damaged features; appropriate cleaning methods; archaeological resources; and new construction in connection with a historic property.

(Ord. No. 2688-06, § 1, Exh. A (58-434), 10-9-06)

Sec. 58-435. - Relationship to zoning districts.

These regulations are intended to provide the framework to preserve and protect historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, parks, residential neighborhoods and commercial districts. These regulations are intended to act as an overlay to existing zoning designations. Zoning amendments may be applied to designated historic structures, districts, and sites with such actions and procedures as otherwise provided for in this chapter.

(Ord. No. 2688-06, § 1, Exh. A (58-435), 10-9-06)


FOOTNOTE(S):

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DIVISION 2. - HISTORIC PRESERVATION BOARD

Secs. 58-441—58-444. - Reserved.

Ordinance No. ______________
Sec. 58-445. - Establishment of historic preservation board.

There is hereby established pursuant to sections 2-46 through 2-49 and section 2-59, a historic preservation board (HPB). This board shall operate and be controlled pursuant to the provisions in sections 2-46 through 2-49 and section 2-59.

(Ord. No. 2843-11, § 3.b.A., 6-13-11; Memo of 2-22-12(Att. 3.b.A.))

Sec. 58-446. Qualifications.

Members of the HPB shall have demonstrated civic pride, interest in historic preservation and the knowledge, experience and mature judgment to act in the public interest to make informed and equitable decisions concerning the conservation of historic resources. The board shall be comprised of seven (7) members and one (1) alternate, all of whom must be city residents.

a. One member shall be a licensed architect; and
b. One member versed in local history; and
c. One member who owns or lives in a designated resource or district.

Sec. 58-4467 - Functions, powers and duties of the historic preservation board.

The HPB historic preservation board shall be responsible for the development and administration of a comprehensive historic preservation program, and shall identify and maintain the city's historic resources for the benefit of both present and future residents. It shall be the responsibility of the HPB to:

1. Provide or recommend incentives for historic preservation, and to recommend for or against rezonings, demolitions, developments, lot splits, lot consolidations, or conditional uses that could impact historic resources identified in the Florida Master Site File survey of the City of Winter Park.

2. Identify potential historic landmarks, historic resources and potential historic districts for designation; and provide assistance to, and education of, owners of properties for potential designation;

3. Develop and maintain a local register of historic places and review National Register of Historic Places nominations within the city;

4. Develop guidelines based upon the Secretary of the Interior's Guidelines Standards for Use in reviewing applications for certificates of review. The Secretary of the Interior's Standards for Rehabilitation as periodically revised in 1990 will be used until local guidelines are developed and adopted by the HPB;

5. Review applications for certificates of review for individually designated landmarks and resources, and contributing and non-contributing properties within designated districts, city-owned historic properties and sites, and historic properties for which the city has received a façade or preservation easement;

6. Approve variances that are appropriate for the preservation of historic resources in conjunction with applications for certificates of review;

7. Conduct an ongoing survey and inventory of historically, culturally or architecturally significant buildings, structures, districts and archaeological sites within the city; coordinate survey results with the Florida Master Site File; and plan for resource preservation with the aid of staff and consultants with professional expertise as may be necessary;

8. Develop programs to stimulate public interest and involvement in the city's history and preservation, and inform the public of the city's preservation opportunities and the HPB's
activities;
(9) Cooperate with and advise local, state and federal governments on preservation activities;
(10) Attend relevant educational meetings, workshops and conferences;
(11) Adopt rules of procedure, which shall be reviewed annually and which shall be available for public inspection; and
(12) Perform any other function that may be designated by the city commission.

(Ord. No. 2843-11, § 3.c.A., 6-13-11; Memo of 2-22-12(Att. 3.b.A.))


DIVISION 3. - DESIGNATION OF HISTORIC LANDMARKS, RESOURCES OR DISTRICTS

Sec. 58-456. - Designation criteria.

In order to qualify as a local historic landmark, resource or district, properties must have character, interest or value as part of the historical, cultural, archaeological, aesthetic or architectural heritage of the city, state or nation. For a multiple property nomination, eligibility may be based on the establishment of historic contexts or themes that describe the historical relationship of the properties—be in keeping with the intent and purpose of the Winter Park Historic Preservation Code as set forth in Section 58-433, herein and be based on the establishment of historic contexts or themes that describe the historical relationship of the properties. The eligibility of any potential historic landmark, resource or district shall be supported by meeting one or more applicable criteria based upon the National Register of Historic Places guidelines criteria for evaluation at the local, state or national level. Properties must be at least 50 years old to be eligible for designation unless they are of exceptional importance.

(1) The criteria for the designation of historic landmarks and historic resources are as follows:
   a. A quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and associations; and
   b. That are associated with events that have made a significant contribution to the broad patterns of our history; or
   c. That are associated with the lives of persons significant in our past; or
   d. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
   e. That have yielded, or may be likely to yield, information important in prehistory or history.

b. At least one of the following:
   i. That are associated with events that have made a significant contribution to the broad patterns of our history; or
   ii. That are associated with the lives of persons significant in our past; or
   iii. That embody the distinctive characteristics of a type, period, or method of construction; or
iv. That represent the work of a master; or
v. That possess high artistic values; or
vi. That represent a significant and distinguishable entity whose components may lack individual distinction; or
vii. Those have yielded, or may be likely to yield, information important in prehistory or history.

(2) Historic districts must meet the criteria of Section 58-456 (1) a. and one two or more of the National Register criteria in section 58-456 (1) b. at the local, state or national level. A district shall possess a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development.

a. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the historic environment or be an arrangement of historically or functionally related properties. A significant concentration may be represented by 60 percent of the sites, buildings, structures or objects that contribute to the historic context of the district. At least 50 percent of the sites, buildings, structures or objects in a historic district must meet two or more of the National Register of Historic Places criteria at the local, state or national level.

b. A district must be a legally definable contiguous geographic area and, where possible, should cover both sides of any street or comprise all the homes in any cul-de-sac or similar area, that can be distinguished from surrounding properties by changes such as density, scale, type, age, style of sites, buildings, structures, and objects, or by documented differences in patterns of historic development or associations, and generally follow the technical guidelines for selecting boundaries used by the National Register of Historic Places. The boundaries must be based upon a shared relationship among the properties constituting the district and represent the area which completed the process described in Section 58-457(2). The boundaries should be defined by utilizing the parcels and lots as shown on the Orange County Property Appraiser’s maps.

c. If the nomination for designation of a particular district pursuant to Section 58-457(2) below is unsuccessful, no district nomination including the selected area shall be presented for nomination for at least twelve months after the date the city notifies the proposed district’s residents that the nomination has been unsuccessful.

(Ord. No. 2688-06, § 1, Exh. A (58-442), 10-9-06)

Sec. 58-457. - Designation procedures.

Winter Park historic landmarks, resources and districts shall be designated only as provided in this section. Properties, which meet the criteria for designation as set forth in section 58-456, shall be designated according to the following procedures:

(1) Designation of local historic landmarks and resources.

a. Recommendations for nomination for designation of individual local historic landmarks and resources may be submitted to the planning and community development department by the property owner(s), the HPC, or a city commission member who believes(s) that the property meets the criteria for listing as set forth in section 58-456. The proposal shall include a legal description or address of the property, a brief
statement regarding its historic, cultural, aesthetic or architectural significance, and must include written authorization by the property owner(s). A recommendation for nomination that does not include the property owner(s) authorization shall not proceed.

b. Every proposed historic landmark or resource shall have a historic designation report prepared by the city that shall be presented to the HPC at a regularly scheduled meeting. Prior to consideration of designation, the city shall first determine if the property sought to be designated meets the criteria for designation. If so, the city shall prepare a historic designation report that shall be presented to the HPB at a regularly scheduled meeting.

c. For each proposed designation of a historic landmark or resource, the City is responsible for mailing a notice of public hearing to all property owners of record on the latest Orange County tax roll within a 500-foot radius of the proposed landmark or resource at least 15 days prior to the public hearing held pursuant to this section, however failure to receive such notice shall not invalidate the same as such notice shall also be given by publishing a copy thereof in a newspaper of general circulation in the city and county at least 15 days prior to the hearing.

(2) Local historic districts.

a. Nominations for designation of historic districts may be submitted to the planning and community development department by petition from 20 percent of the proposed district property owners, half of whom shall be owners of individually designated historic homes in the proposed district, or owners of contributing homes in the proposed district by any member of the HPC, or by a city commission member, who believes that the district meets the criteria for listing as set forth in section 58-456. The nomination proposal shall include a description of the proposed boundaries of the district, and a brief statement explaining setting forth: (i) that at least 50% of the homes in the proposed district are individually designated historic homes or contributing homes; (ii) explaining its historic, cultural, aesthetic or architectural significance, (iii) the specific National Register of Historic Places criteria (two or more) that apply to the proposed district; and (iv) including—a—the required petition representing the ownership of at least 20 percent of the properties within the proposed district as described above. Designation of historic districts shall only be considered by the HPB subsequent to meetings with district property owners and actions as described in subsections b. and c. below.

b. Prior to consideration of designation by the HPB, the city shall facilitate conferences with the property owners within the nominated district to discuss the following: first determine if the proposed district meets the criteria for designation as set forth in the petition. If so, the city shall then prepare a historic designation report which shall analyze and report upon: 1) the historic designation report, 2) proposed boundaries, 3) contributing and noncontributing buildings and elements, 3) district goals, 4) design guidelines to include district alteration criteria, and 5) results effects of designation and 6) available incentives. The city shall then mail the report and other necessary information to each property owner of record to notify them of the initial interest in establishing a historic district, the effects of establishing a historic district, and a schedule of informational meetings for owners and interested parties. The schedule of informational meetings will also be published in a newspaper of general circulation and posted on the city’s web site. The city shall then facilitate conferences with property owners within the nominated district to discuss the proposed district.

c. After informational meetings have concluded, the city will mail a summarized final historic designation report to every property owner of record in the nominated district as of that date. The report will describe the voting process including a 14 day deadline
to respond. The final report, voting process and deadline will also be posted on the city’s web site. Property owners of record will be polled, with each property representing one vote. Upon receipt of a favorable vote representing the ownership of two-thirds fifty-eight percent (58%) of the properties within the nominated proposed district, a historic designation report shall be forwarded to the HPCB recommending approval or disapproval of the nominated area as a historic district based upon the vote received and citing any other specific criteria for the decision. A historic district that is commemorative in nature only and whose designation report does not require design review will not require a vote of the property owners, but shall require a public hearing as described in section 58-457(2) d.

d. The nominated historic district shall have a historic designation report that shall be presented to the HPCB at a regularly scheduled meeting. The designation report shall include the historic context, proposed boundaries, contributing and non-contributing elements, a staff recommendation and the results of listing which may include guidelines for review, and appropriate incentives. For each proposed designation of a historic district, the city is responsible for mailing a notice of public hearing to all property owners of record whose property is located within the boundary of the designation 15 days prior to the public hearing held pursuant to this section, however failure to receive such notice shall not invalidate the same as such notice shall also be given by publishing a copy thereof in a newspaper of general circulation in the city and county at least 15 days prior to the hearing.

(3) Decision of the HPCB historic preservation commission. If, after a public hearing, the HPCB finds that the proposed local historic landmark, resource or district meets the criteria set forth in section 58-456, it shall transmit such findings to the city commission along with the recommendation that the designation be approved. The historic landmark or, resource or district, shall only be recorded in the Winter Park Register of Historic Places following adoption of a resolution of the city commission approving such designation. The designation of a historic district shall only be created following the adoption of an ordinance of the city commission approving such designation. The city commission shall have final decision making authority over whether to approve or deny any request for designation under this division.

(4) The city commission shall further direct staff to notify the following of the action with a copy of the resolution(s) designating the historic landmark, resource or district and the adopted guidelines for review shall be sent to:

- Planning and Community Development Department
  (all divisions)
- Building and Permitting Services Department
- Code Compliance Division
- City Clerk
- Public Works Department
- Owners of the affected property and other parties having an interest in the property, if known

(5) Following the published date of a public hearing before the HPCB, no permits shall be issued by the Building and Permitting Services Department, except for permits that do not require the review of the HPCB, for any new construction, exterior alterations, rehabilitation, restoration, renovation, addition, relocation, moving, or demolition of the real property that is the subject matter of the recommendation, until one of the following has occurred:

- The historic designation is enacted and a certificate of review is issued under the
provisions of division 4; or
• The historic designation is denied by the city commission; or
• The property owner has applied for an accelerated approval of a certificate of review prior to final enactment of the historic designation; and such certificate of review has been issued under the provision of section 58-473, and the property owner has voluntarily proffered a covenant binding him to comply with all terms and conditions of the certificate of review which will cease to be effective should the city commission deny the historic designation.

(6) Historic landmarks, resources or districts shall be formed as a special an overlay, which shall be placed over the existing zoning. The regulations and procedures for both the zoning district and the historic landmark, resource or district regulations shall apply.

(7) Should the city commission deny a request for historic district designation, the city shall notify all property owners within the proposed district by mail of the decision and contemporaneously post the notice of the decision on the city web site.

(Ord. No. 2688-06, § 1, Exh. A (58-443), 10-9-06)


DIVISION 4. - CERTIFICATE OF REVIEW

Sec. 58-466. - Purpose.

The purpose of the certificate of review process is to assist owners of historical landmarks or resources and owners in historic districts, in accordance with design guidelines, who plan to rehabilitate, restore or redevelop their property for contemporary use to achieve their goals and take advantage of incentive programs while preserving the historic character, architecture and materials, to the greatest extent possible.

(Ord. No. 2688-06, § 1, Exh. A (Div. IV), 10-9-06)

Sec. 58-467. - Pre-application conference.

Before entering binding commitments or incurring substantial expense in the preparation of plans, surveys and other data, and before submitting an application for a certificate of review, an applicant shall confer with the city HPB staff to obtain information and guidance. The purpose of such conference is to further discuss and clarify conservation objectives and design guidelines in cases that do not conform to established objectives and the Land Development Code guidelines. In no case shall any statement or representation made prior to the official application review be binding on the HPCB, the city commission or any city departments.

(Ord. No. 2688-06, § 1, Exh. A (58-444), 10-9-06)

Sec. 58-468. - Review requirement.

The HPCB shall review and render a decision during an advertised public hearing on applications for special certificates of review for any proposed exterior alterations, rehabilitation, restoration, renovation, or addition, or any proposed new construction, demolitions, or relocations of: (i) designated historic landmarks; (ii) historic resources; (iii) contributing and noncontributing resources within historic districts; (iv) city-owned historic properties and sites; and (v) historic properties for
which the city has received a façade or preservation easement in keeping with the applicable design guidelines. Provided however, the HPB shall not have the authority to review and render a decision on interior alterations to structures that do not affect the exterior or structural integrity of the structure. The HPB shall review and render a decision on all applications for special certificates of review for any proposed exterior alterations, demolitions, new construction or relocations within the boundaries of designated historic districts. The HPB may approve, approve with conditions recommendations, or deny an application. For reconstructed buildings that have been permitted pursuant to section 58-4802, the provisions of this section shall still apply.

(Ord. No. 2688-06, § 1, Exh. A (58-445), 10-9-06)

Sec. 58-469. - Guidelines for review.

In adopting guidelines for review, it shall be the intent of the HPCB to preserve the exterior historic characteristics of the landmark, resource or district, and to promote maintenance, restoration, adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites, and streetscapes. Guidelines shall also serve as criteria for staff to make decisions, as permitted by the HPCB, regarding applications for standard administrative certificates of review.

(1) The U.S. Secretary of the Interior's Standards for Rehabilitation as periodically revised in 1990 are generally the standards and guidelines by which applications for any certificate of review for historic buildings, sites, or districts are to be measured and evaluated. The HPCB may recommend additional standards to preserve and protect special features unique to the city or may recommend amending any existing guidelines to the city commission.

(2) Variances to achieve the design review standards for historic preservation may be granted from the land development code requirements as may be appropriate to achieve the design review standards for historic preservation for the purposes of this ordinance, provided the variance does not negatively affect the character of the area and with good cause shown. These variances may include those for building height, side, rear and front setbacks, building coverage, floor area ratio, impervious coverage, storm water retention, and walls and fences. Building code exemptions may be granted subject to the guidelines of the Florida Building Code for qualified historic buildings or structures. Additional information to justify variances and exemptions may be needed.

a. When a variance or exception is considered, the application shall comply with the notice standards listed in subsection 58-88(c)(2) 58-89(c)(2).

b. All variance requests through the HPCB design certificate of review process shall be limited to properties with individual landmark, resource or historic district designation. This landmark, resource or district designation must be completed before issuance of a building permit for the work that requires a variance.

c. The appeal of a decision to grant or deny a variance by any person aggrieved by the decision of the HPCB shall be taken to the city commission after following the notice criteria of subsection 58-88(c)(1) 58-89(c)(2) if filed within 15 days of the date of the decision by the HPCB.

(3) The HPCB may also allow garage apartments or accessory cottages to be determined to be conforming uses on designated historic landmarks or resources, or to on properties in a designated historic district.

a. Historic designation must be completed before the issuance of a building permit or approval for the construction, re-establishment or construction of a new garage apartment or accessory cottage.

b. Building setbacks shall be determined by the HPCB, however no garage apartment or accessory cottage shall be closer than five feet to a rear or side line, unless such setback currently exists, or may be in a required front setback.
c. It is desirable that garage apartments or accessory cottages not exceed 750 square feet of living area. The HPB may reduce or enlarge this square foot limitation depending on the configuration or size of the property. Garage apartments or accessory cottages shall not exceed 1,000 square feet in size.

d. Conversion of any existing garage space shall not be allowed, but an existing garage may be enlarged in height or ground area to accommodate the garage apartment. Garage apartments or accessory cottages may utilize a separate electric meter and utility connections contingent upon meeting the parking requirements for an accessory dwelling unit.

e. Tenants must be provided on-site parking space(s) behind the front setback of the principal residence. All required parking spaces must be accessed independently and shall not require moving any vehicle to allow another vehicle to enter or exit from the property. All vehicles shall be parked on-site in spaces conforming to setbacks so that no regular daytime or overnight parking occurs on city streets. Violation of these terms and conditions may result in enforcement action by Code Compliance. Will be deemed sufficient grounds for the code enforcement board to order the discontinuation of the garage apartment or accessory cottage as a secondary living unit along with other penalties and remedies at their discretion.

(4) Each designated historic district may adopt specific district guidelines for design review based upon the U.S. Secretary of the Interior's Standards for Rehabilitation as periodically revised in 1990 subject to final approval by the HPCB.

(5) Local guidelines for design review may be adopted based upon the U.S. Secretary of the Interior's Standards for Rehabilitation as periodically revised in 1990.

Sec. 58-470. - Forms.

Applications for certificates of review will be made on forms approved and provided by the HPCB. historic preservation commission.

Sec. 58-471. - Delegation of review authority.

The planning and community development director or his/her designee may approve, approve with conditions, or deny certain types of permit applications for alterations or additions allowed by the HPB and based upon the standards in Section 58-469 to an individually designated property or property located in a designated historic district. The planning and community development director or his/her designee is not required to grant this administrative review and may require review by the HPB. Further, the HPCB may delegate the authority to the planning and community development director or his/her designee appropriate staff members to review and grant standard administrative certificates of review without referral to the HPCB and without a public hearing in the case of certain types of applications, which the HPCB shall determine in advance. If the applicant wishes to appeal planning and community development director's or his/her designee's decision, a complete certificate of review application for the project will then be placed on the HPB agenda.

Ordinance No. ________________
Sec. 58-472. - Administrative review—Standard certificates.

Based upon the standards for rehabilitation, the designation report, a complete application for a building permit standard certificates of review, and any additional plans, drawings or photographs to fully describe the proposed alteration, the city shall within 15 business days from the date a complete application has been filed, approve, approve with conditions or deny the application for a standard certificate of administrative review prior to the issuance of a building permit. The decision shall be based upon the standards in section 58-469(1). The findings of the city shall be mailed to the applicant within three days of the city’s decision accompanied by a statement in full regarding the decision unless delivered in person. The applicant shall have an opportunity to challenge the decision to deny the application by applying for a special certificate of review within 15 days of the findings.

(Ord. No. 2688-06, § 1, Exh. A (58-449), 10-9-06)

Sec. 58-473. - Special Certificates of Review.

(a) An applicant for a special certificate of review whether for new construction, exterior alteration, addition, rehabilitation, restoration, renovation, addition, moving or demolition, or relocation shall submit an application to the HPCB accompanied by photographs, elevations, site plans, floor plans, and samples of materials as deemed appropriate by the HPCB to fully describe the proposed appearance, materials and architectural design of the building(s), other outbuildings and site plan. The application shall include floor area ratio, impervious lot coverage and height and setback calculations as well as landscape and hardscape plans if applicable. The applicant shall provide adequate information to enable the HPCB to visualize the effect of the proposed action on the applicant’s building and its adjacent buildings and streetscapes. If such application involves a designated archaeological zone, the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archaeological site.

(b) In the event that the applicant is requesting a special certificate of review for demolition, the HPCB shall be provided with the details for the proposed disposition of the site. The HPCB may require architectural drawings, financial plans or other information regarding any proposed new construction. Proposed demolitions shall be reviewed subject to the considerations in section 58-479.

(c) The HPCB will rule upon applications for a certificate of review during a public hearing. A notice of the hearing shall be published in a newspaper of general circulation within the city at least 13 1/5 days in advance of the hearing. Written notice of the time and place of the hearing and the proposed action to be taken shall be mailed to all owners of record of property within 500 feet of the property requesting a certificate of review. A notice shall also be posted upon the property at least 15 days in advance of the hearing.

(d) An approved certificate of review and any accompanying variance(s) shall expire one year after the date of approval if the approved construction, rehabilitation, restoration, renovation, addition, demolition, or relocation has not physically commenced on the property within such time period. Upon the request of the property owner, staff may administratively extend the approval for an additional year. Thereafter, upon request by the property owner one additional one year extension may granted by the HPB upon good cause.

(Ord. No. 2688-06, § 1, Exh. A (58-450), 10-9-06)
Sec. 58-474. - Decision of the commission board

The decision of the HPB historic preservation commission shall be based upon the guidelines set forth in section 58-469 as well as the general purpose and intent of these regulations and any specific planning objectives and design guidelines officially adopted for the particular historic landmark, resource or historic district. The decision may include such incentives for preservation as the HPB finds appropriate. No decision of the HPC shall result in an inordinate burden for the owner if the HPB has determined the existence of such burden in accordance with state law. The decision of the HPB shall include a complete description of the reasons for such findings and details of the public interest that is sought to be preserved and shall direct one or more of the following actions:

1. Issuance of a special certificate of review for the work proposed by the applicant; or

2. Issuance of a special certificate of review with specified modifications and conditions or;

3. Issuance of a special certificate of review with recommendations for zoning required to for the preservation of the building or site and those recommendations shall be placed on the consent agenda of the soonest possible planning and zoning commission board meeting;

4. Denial of the application and refusal to grant a certificate of review; or

5. Issuance of a special certificate of review with a deferred effective date of up to 12 months from the date of the HPCB’s decision at a public hearing in cases of demolition or moving of a significant building.

(Ord. No. 2688-06, § 1, Exh. A (58-451), 10-9-06)

Sec. 58-475. - Time limit.

The historic preservation commission HPB shall act upon an application within 60 days of receipt of the proposed action. The time limit may be waived at any time by mutual written consent of the applicant and the HPCB.

(Ord. No. 2688-06, § 1, Exh. A (58-452), 10-9-06)

Sec. 58-476. - Records.

The decision of the historic preservation commission HPB shall be issued in writing. Evidence of approval of the application shall be by certificate of review issued by the HPCB or the HPCB’s designated staff representative to the applicant, and whatever its decision, notice in writing shall be given to the applicant, city clerk and the director of the planning and community development department. When an application is denied, the HPCB’s notice shall provide an adequate written explanation of its decision. The HPCB shall keep a written record showing its action on each application considered.

(Ord. No. 2688-06, § 1, Exh. A (58-453), 10-9-06)
Sec. 58-477. - Appeals.

(a) Any substantially affected party may appeal any decision of the HPCB to the city commission by filing within 15 days after the date of the decision a written notice of appeal and an appeal fee as established by the city's schedule of fees. The notice shall set forth concisely the decision appealed from and the reasons or grounds for the appeal.

(b) The appeal shall be heard by the city commission, which shall hear and consider all facts material to the appeal and render a decision promptly. The appeal shall be a de novo appeal. The city commission may affirm, modify or reverse the HPCB's decision based upon the standards in section 58-469 and guidelines in section 58-479. The decision of the city commission shall constitute final administrative review. Appeals from decisions of the city commission may be made to the courts having jurisdiction over the matter, as provided by the Florida Rules of Appellate Procedure.

(Ord. No. 2688-06, § 1, Exh. A (58-454),10-9-06)

Sec. 58-478. - Change in approved work.

The HPCB's staff shall review any change in work proposed subsequent to the issuance of a certificate of review. If the HPCB's staff finds that the proposed change does not materially affect the historic character or the proposed change is in accord with approved guidelines, it may issue a supplementary standard certificate of review for such change. If the proposed change is not in accordance with guidelines, standards, or certificate of review previously approved by the HPCB, a new application for a special certificate of review shall be required.

(Ord. No. 2688-06, § 1, Exh. A (58-455), 10-9-06)

Sec. 58-479. - Guidelines for issuance of demolition of designated properties or properties within historic districts, and construction, excavation or other disturbance in archaeological zones.

(a) In addition to all other provisions of this article, in determining whether to approve or deny a application involving the demolition of designated properties or properties located within designated historic districts, the HPCB shall consider the following criteria in evaluating applications for a special certificate of review for demolition of designated properties:

1. The structure is of such interest or quality that it would reasonably meet national, state or local criteria for designation as a historic landmark.

2. The structure is of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or expense.

3. The structure is one of the last remaining examples of its kind in the city, the county, or the region.

4. The structure contributes to the historic character of a designated district.

5. Retention of the structure promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.

6. There are definite plans for reuse of the property if the proposed demolition is carried out, and there is an explanation of what the effect of those plans will be on the character of the

Ordinance No. ______________
Sec. 58-480. – Identified interred archaeological site. 

(b) In cases where new construction, excavation, tree removal or any other activity may disturb or reveal an identified interred archaeological site, the HPCB may issue a certificate of review with a delayed effective date up to 60 days. During the delay period, the applicant shall permit the subject site to be examined under the supervision of an archaeologist approved by the HPCB. A certificate of review may be denied if the site were of exceptional importance and such denial would not unreasonably restrict the primary use of the property.

Sect. 58-481. – Procedure for demolition of properties identified in the Florida Master Site File or the Historic Survey.

Applications requesting the demolition of properties that are identified in the Florida Master Site File or the Historic Survey as potential candidates for the National Register of Historic Places but are not designated properties or properties within historic districts, shall comply with the procedures of this section.

(1) Upon receipt of a complete application for a demolition permit, for properties found in the Historic Survey as potential candidates for the National Register of Historic Places, the city shall have ninety (90) days thereafter to issue a demolition permit provided the applicable demolition permit requirements have been met. The purpose of this 90 day period is to facilitate and encourage the consideration of appropriate alternatives to protect the historic character of the property sought to be demolished before a demolition permit is issued. Upon receipt of the application for demolition, the property owner or their designee will receive a letter from the HPB staff notifying them of the 90 day period and the purpose of such and the next HPB meeting where the application for demolition will be reviewed and potential alternatives to demolition discussed. During this 90 day period, the HPB will review the application for demolition permit and may direct HPB staff to make proposals to the property owner or their designee as to any specific alternatives to demolition.

(2) Upon the city’s receipt of a complete application for a demolition permit of properties that are identified in the Florida Master Site File, the city shall have sixty (60) days thereafter to issue a demolition permit provided the applicable demolition permit requirements have been met. The purpose of this 60 day period is to facilitate and encourage the consideration of appropriate alternatives to protect the historic character of the property sought to be demolished before a demolition permit is issued. Upon receipt of the application for demolition, the property owner or their designee will receive a letter from staff regarding the 60 day period and the purpose of such. During this 60 day period, staff shall consider appropriate alternatives to demolition and is authorized to make proposals to the property owner or their designee to protect the historic character of the property in lieu of demolition. HPB staff shall notify the HPB of any applications for demolition that qualify under this category at the next scheduled meeting of the HPB subsequent to the receipt of a complete application for demolition permit.
(3) During the consideration period set forth under subsection (1) and (2), the following alternatives to demolition should be considered:

(i) The feasibility of moving or relocating the structure;

(ii) The feasibility of purchasing the structure, either privately or through the use of public funds;

(iii) Preservation of historic elements of the structure prior to demolition through photographic documentation of the structure, removal and relocation of historic elements, or otherwise archiving the historic nature of the structure.

(4) If agreement is reached with the property owner to allow preservation of aspects of the structure pursuant to subsection (3) (iii) above, the demolition shall be allowed immediately upon completion of the preservation or at the end of the consideration period, whichever may come first, provided all other criteria for demolition have been met. As further consideration for allowing the preservation of the structure pursuant to this section, any person or entity undertaking the preservation effort shall provide the property owner a waiver of liability for any personal injury or property damage incurred by the preserving party.

(5) If after the expiration of the applicable consideration period under subsection (1) and (2), the property owner notifies the HPB staff in writing that no alternatives to demolition that are acceptable to the property owner have been presented, provided that all other requirements and conditions of its application for a demolition permit have been met, the city shall proceed to issue a demolition permit in accordance with its standard procedures. At any time after a complete application for demolition permit is received, the HPB staff may waive the remaining time under the applicable consideration period under subsection (1) and (2) if the HPB or the HPB staff determines that no meaningful alternatives to demolition exist or will be proposed to the property owner.

(6) For good cause shown, and with the agreement of the property owner, the consideration periods under subsection (1) and (2) may be extended for an additional sixty day (60) day period. The time limit under sec. 58-475 does not apply to demolition permits under this section.

(7) The criteria set forth in Sec. 58-479 do not apply to applications for demolition permits under this section. The HPB does not have the authority to approve or deny an application for demolition permit under this section.

(8) The provisions of this section shall be supplemental to any other requirements and conditions applicable to applications for and permits issued concerning the demolition of properties.

Sec. 58-480482. - Reconstruction of destroyed historic landmarks.

The loss of local historic landmarks, resources or contributing structures within a historic district that have been destroyed by fire or other natural disaster may be ameliorated by efforts to reconstruct the resource. Reconstruction means the process of reproducing by new construction the exact form and detail of a demolished building structure or object as it appeared at a certain
point in time. The HP CB shall encourage reconstruction when deemed appropriate and when such reconstruction is based upon evidence of the size, form, architectural style and detail of the original building. The reconstruction will be recognized as such in the Winter Park Register of Historic Places.

(Ord. No. 2688-06, § 1, Exh. A(58-457), 10-9-06)

Sec. 58-481-483—58-489. - Reserved.

DIVISION 5. - ADMINISTRATION AND ENFORCEMENT

Sec. 58-490. Incentives.

The City may adopt additional incentives applicable to designated historic landmarks, historic resources and/or properties in a historic district, including but not limited to fee discounts or grant programs, at its discretion.

Sec. 58-491. - National Register of Historic Places nominations.

The HP CB shall review local nominations to the National Register of Historic Places and shall forward a record of their actions and recommendations to the Florida State Historic Preservation Officer.

1. The city commission, City Manager, Planning and Community Development department director, chief planner, owners of record and applicants shall be given a minimum of 30 and not more than 75 days prior to the HP CB meeting in which to comment on or object to the listing of a property in the National Register of Historic Places.

2. Objections by property owners must be submitted in writing and their signature notarized to prevent nomination to the National Register of Historic Places.

(Ord. No. 2688-06, § 1, Exh. A (58-458), 10-9-06)

Sec. 58-492. - Certified local government performance.

The HP CB shall apply to participate in the certified local government program through the Florida Division of Historical Resources. As part of the program requirements the HP CB shall:

1. Provide 30 days prior notice of all meetings to the state historic preservation officer.

2. Submit minutes of each meeting to the state historic preservation officer within 30 days of each meeting.

3. Submit record of attendance for the HP CB to the state historic preservation officer within 30 days of each meeting.

4. Submit public attendance figures for each meeting to the state historic preservation officer within 30 days of each meeting.

5. Notify state historic preservation officer of any change in HP CB membership within 30 days of the action.
(6) Notify state historic preservation officer immediately of all new historic designations or alterations to existing designated buildings, structures and sites.

(7) Submit amendments to ordinance to the state historic preservation officer for review and comment at least 30 days prior to adoption.

(8) Submit annual report by November 1 covering previous October 1 through September 30 of each year. The annual report shall include:
   a. Any changes to the rules of procedure.
   b. The number of proposals reviewed.
   c. All new designations.
   d. Changes to the HPGB
   e. Revised resumes of HPGB members as appropriate.
   f. Changes to the historic preservation ordinance.
   g. A review of any survey and inventory activity with a description of the system used.
   h. A program report on each grant-assisted activity. (Ord. No. 2688-06, § 1, Exh. A(58-459), 10-9-06)

Sec. 58-493. Amendments. Reserved.

Applications for amendments to existing designated historic landmarks, resources or historic districts shall be processed according to the provision of sections 58 456 and 58 457 of this chapter provided that no action resulting from such application shall have the effect of eliminating the requirement for certificates of review as otherwise provided for in this article. Where the HPB has issued a certificate of review for demolition or moving of the improvement or feature of principal historic significance on a historic landmark site, the historic classification may be changed through the amendment process.

(Ord. No. 2688-06, §1, Exh. A (58-463), 10-9-06)

Sec. 58-494. - Ordinary maintenance and repair.

Nothing in this article shall be construed to prevent the ordinary maintenance or repair of any improvement, which does not involve a change of design, appearance or material, or to prevent ordinary maintenance of landscape features.

(Ord. No. 2688-06, § 1, Exh. A (58-464), 10-9-06)

Sec. 58-495. - Enforcement of maintenance and repair provisions.

Where the HPGB or city determines that any improvement of a designated historic landmark or resource, or historic district is endangered by lack of maintenance and repair, or that other improvements in visual proximity to a historic landmark, historic resource or historic district lack maintenance and repair to such an extent as to detract from the desirable character of the historic landmark, historic resource or historic district, it shall request appropriate officials or agencies of the city to require correction of such deficiencies under authority of applicable laws and regulations.
Sec. 58-496. - Unsafe structures.

In the event the building official determines that any designated building or contributing structure within a designated historic district is unsafe pursuant to the Florida Building Code, he or she shall immediately notify the HPCB with copies of such findings. Where reasonably feasible within applicable laws and regulations, the building official shall endeavor to have the structure repaired rather than demolished and shall take into consideration any comments and recommendations by the HPCB. The HPCB may take appropriate actions to effect and accomplish the preservation of such structure including, but not limited to, negotiations with the owner and other interested parties, if such actions do not interfere with procedures in the Florida Building Code.

Sec. 58-497. - Emergency conditions.

For the purpose of remedying emergency conditions determined to be imminently dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction, demolition or other repairs to an improvement, or site within a designated historic landmark, resource or district pursuant to an order of a government agency or a court of competent jurisdiction, provided that only such work as is reasonably necessary to correct the hazardous condition may be carried out. The owner of an improvement damaged by fire or natural calamity shall be permitted to stabilize the improvement immediately and to rehabilitate it later under the normal review procedure of this article.

Sec. 58-498. - Inspections.

The Building and Permitting Services Department and Code Compliance Division shall assist the HPCB by making necessary inspections in connection with enforcement of this article. The building official shall be responsible to promptly stop any work attempted to be done without or contrary to any certificate of review required under this division and shall further be responsible for ensuring that any work not in accordance with an issued certificate of review shall be corrected to comply with the certificate, or that authorized remedial action in accordance with city codes is initiated promptly.

Sec. 58-499. --Reserved. Inordinate burden.

Nothing in this article shall cause an inordinate burden to a property owner’s existing use of real property or a vested right under 1995 Fla. Laws Ch. 95-181, § (1-2), the Bert J. Harris, Jr. Private Ordinance No. ____________
Ordinance No. ______________

Property Rights Protection Act. An ordinate burden to a property owner’s existing use of real property or a vested right may not be considered unless an application for a certificate of review for a designated property has been denied. In any instance where there is a claim of an inordinate burden to existing use of real property or vested rights, the owner shall submit, by affidavit, to the commission at least 30 days prior to a public hearing, such information as may be required to describe those vested rights and the perceived inordinate burden to those rights.

(Ord. No. 2688-06, § 1, Exh.A (58-469), 10-9-06)

Sec. 58-500. - Violations.

(a) Any person who carries out or causes to be carried out any work in violation of this article shall be required to restore the subject improvement, landscape feature or site either to its appearance prior to the violation or in accordance with a certificate of review approved by the HPB. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and civil penalty otherwise provided in section 2-108 2-107 in this Code.

(b) Any person who carries out or causes to be carried out any work in violation of this article that causes irreparable or irreversible damage to a designated historic resource, or to any contributing or noncontributing resource within a designated historic district a fine not to exceed three times the amount per violation provided for in section 2-108 2-107 in this Code.

(Ord. No. 2688-06, § 1, Exh A (58-470), 10-9-06)


DIVISION 6. - TAX EXEMPTIONS FOR HISTORIC PROPERTIES

Sec. 58-510. Florida Statute 196.1961 establishes a method for the city commission to allow an ad valorem tax exemption of up to 50 percent (50%) of the assessed value of property which meets all the following criteria:

(a) The property must be used for commercial purposes or used by a not-for-profit organization under s.501(c) (3) or (6) of the Internal Revenue Code of 1986.

(b) The property must be listed in the National Register of Historic Places, as defined in s. 267.021 or must be designated as a historic property, a contributing property to a historic district under the terms of this ordinance.

(c) The property must be regularly open to the public such that there are regular hours when the public may visit to observe the historically significant aspects of the building. This means a minimum of 40 hours per week, for 45 weeks per year, or the equivalent of 1,800 hours per year. A fee may be charged to the public; however, it must be comparable with other entrance fees in the immediate geographic locale.

(1) The city commission shall notify the property appraiser of the adoption of such ordinance no later than December 1 of the year prior to the year in which the exemption will take effect. If the exemption is granted for only a specified period or the ordinance is repealed, the city commission shall notify the property appraiser no later than December 1 of the year prior to
Ordinance No. ______________

the year the exemption expires. The ordinance shall specify that the exemption shall only apply to taxes levied by the City of Winter Park; however the exemption will not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Art. VII of the State Constitution.

(2) In order to retain the exemption, the historic character of the property must be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.

Sec. 58-511. - Scope of tax exemptions for restoration, renovation or rehabilitation.

(a) Chapter 196.1997, Florida Statutes establishes a method is hereby created for the city commission to allow tax exemptions for the restoration, renovation or rehabilitation of historic properties. The exemption shall apply to one hundred percent (100%) percent of the assessed value of all improvements to historic properties, which result from restoration, renovation or rehabilitation made on or after the effective date of an approved application. The exemption applies only to taxes levied by the city. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida State Constitution. The exemption does not apply to personal property.

(Ord. No. 2688-06, § 1, Exh. A (58-476), 10-9-06)

Sec. 58-512. - Duration of tax exemptions.

Any exemption granted under this section 58-511 to a particular property may remain in effect for ten years as specified in the ordinance approving the exemption. The duration of ten years may continue regardless of any change in the authority of the city to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, however, the historic character of the property, and improvements, which qualified the property for an exemption, must be maintained over the period for which the exemption was granted.

(Ord. No. 2688-06, § 1, Exh. A (58-477), 10-9-06)

Sec. 58-513. - Eligible properties and improvements.

(a) Property is qualified for an exemption under this section 58-511 if:

(1) At the time the exemption is granted, the property is:

   a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;

   b. A contributing property within a National Register listed district; or

   c. Individually listed in the Winter Park Register of Historic Places or noted as a contributing structure within a designated local historic district as enacted by ordinance of the city commission.

(2) The HPCB has certified to the city commission that the property for which an exemption is requested satisfies subsection (a) (1) above.
(b) In order for an improvement to a historic property to quality the property for an exemption, the improvement must be:

1. Consistent with the United States Secretary of the Interior's Standards for Rehabilitation and/or local design guidelines for historic preservation, and

2. Determined by the HP Code to meet criteria established in rules adopted by the department of state if the city is a Certified Local Government, or by the Department of State Division of Historic Resources.

(c) Property is qualified under section 58-513(b) above if the property meets the following criteria:

1. The property must be used for commercial purposes or used by a not-for-profit organization under s. 501(c) (3) or (6) of the Internal Revenue Code of 1986; or

2. The property must be listed in the National Register of Historic Places, as defined in Florida Statutes section 267.021; or

3. Must be a local historic contributing property to a National Register Historic District; or must be a locally designated historic landmark or a contributing property within a locally designated historic district; and

4. The property must be regularly open to the public, which means that there are regular hours when the public may visit to observe the historically significant aspects of the building. This means a minimum of forty (40) hours per week, for forty-five (45) weeks per year, or an equivalent of eighteen hundred (1,800) hours per year. A fee may be charged to the public; however, it must be comparable with other entrance fees in the immediate geographic locale.

Only those portions of the property used predominantly for the purposes specified in section 58-513(c) shall receive the ad valorem tax exemption of up to fifty (50%) percent of the assessed property value. In no event shall an incidental use of property qualify such property for an exemption or impair the exemption of an otherwise exempt property. In order to retain the exemption, the historic character of the property must be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.

(Ord. No. 2688-06, § 1, Exh. A (58-478), 10-9-06)

Sec. 58-514. - Applications.

(a) Any person, firm or corporation that desires ad valorem tax exemption from the improvement of a historic property must, in the year the exemption is desired to take effect, file with the historic preservation staff a written application on a form approved by the Florida Department of State. Any applicable fees shall be paid at the time the application is submitted. The application must include the following information:

1. The name of the property owner and the location of the historic property.

2. A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvement.

3. Proof to the satisfaction of the HP Code that the property that is to be rehabilitated or renovated is a historic property under this section.
(4) Proof to the satisfaction of the HPCB that the improvements to the property will be consistent with the United States Secretary of Interior's Standards for Rehabilitation and will be made in accordance with guidelines developed by the Florida Department of State.

(5) Other information identified in appropriate Florida Department of State regulations.

(b) Following approval by the city commission, any person, firm or corporation who is claiming the ad valorem tax exemption provided under section 513(b) shall, on or before March 1 of each year, file an application for exemption with the Orange County Property Appraiser, describing the property for which exemption and certifying its ownership and use.

(Ord. No. 2688-06, § 1, Exh.A (58-479), 10-9-06)

Sec. 58-515. - Required restrictive covenant.

To qualify for an exemption the property owner must enter into a covenant or agreement with the city commission for the term for which the exemption is granted. The form of the covenant must be established by the Florida Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors or assigns. Violations of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years plus interest on the difference calculated as provided in F.S. § 212.12(3).

(Ord. No. 2688-06, § 1, Exh. A (58-480), 10-9-06)

Sec. 58-516. - Review by the HPCB historic preservation board.

The HPCB or its successor is designated to review applications for exemptions. The HPCB must recommend that the city commission grant or deny the exemption. Such reviews must be conducted in accordance with rules adopted by the Florida Department of State. The recommendation and the reason therefore must be provided to the applicant and to the city commission before consideration of the application at an official meeting.

(Ord. No. 2688-06, § 1, Exh. A (58-481), 10-9-06)

Sec. 58-517. - Approval by the city commission.

A majority vote of the city commission shall be required to approve a written application for exemption. Such exemption shall take effect on the January 1 following substantial completion of the improvement. The city commission shall include the following in the ordinance decision approving the written application for exemption:

1. The name of the property owner and the address of the historic property for which the exemption is granted.

2. The period of time for which the exemption will remain in effect and the expiration date of
the exemption.

(3) A finding that the historic property meets the requirements of this article.

(Ord. No. 2688-06, § 1, Exh. A (58-482), 10-9-06)
Historic Preservation Incentive Background

**Justification.** Since a historic preservation article was added to Winter Park’s Land Development Code in 2001, the City has offered incentives to individual owners who list their properties in the Winter Park Register of Historic Places and owners in designated local historic districts. Under the code, individual owners are responsible for bringing their property forward for listing in the Winter Park Register of Historic Places, and the city wants to encourage this for the welfare of the community. The many and varied benefits of preserving community’s historic properties has been widely documented, and for a city that is recognized for its special sense of place like Winter Park, it is especially important to preserve and promote its modest number of character defining historic resources.

Preserving and advocating for Winter Park’s historic properties is consistent with Comprehensive Plan Future Land Use Objective 1.3.12. Winter Park’s historic downtown and neighborhoods distinguish it from surrounding cities and set it apart as a cultural tourism destination. The historic development of Winter Park provides the foundation for the city’s excellent quality of life for its residents. The community has benefited from the protection of historic resources while accommodating beneficial growth and revitalization.

Recognizing that Winter Park’s historic resources are unique assets for the entire community, the existing and proposed incentives offer a variety of programs to maximize the public and private benefits of preservation. Incentives encourage appropriate preservation practices, and support effectively keeping historic resources in active use. Public policies that favor preservation and financial and technical benefits that offset the necessary regulation that comes with historic designation encourage owners to maintain and preserve their vintage properties.

**Recommended Incentives.** Though the historic preservation program first adopted in 2001, Winter Park provides assistance to meet the needs of properties listed in the Winter Park Register of Historic Places. The task assigned by the City Commission includes recommending additional incentives. All the existing and proposed incentives apply to buildings listed in the Winter Park Register of Historic Places to ensure that public services and funds are used for the preservation of historic properties. The variety of existing and proposed incentives falls into four general categories:

- Technical
- Educational/Promotional
- Development
- Financial
It will not be possible to immediately implement all the proposed incentives, but the recommendations can be phased in as policies, programs and funding mechanisms are developed further following direction from the City Commission. Some new incentives can be implemented quickly; relying on staff time and expertise and low budget impacts.

**Technical Assistance.** Some assistance is both educational and technical such as providing incentives property owners with information and staffs’ expertise relating to the maintenance, repair, rehabilitation or reuse of designated historic properties. At modest cost, a resource guide and library of materials for the maintenance, repair and restoration of historic properties can be made available to the public. Staff technical expertise could be made available to inspect historic properties, develop building assessments and help develop preservation plans.

**Educational/Promotional.** The existing plaque program has proved very popular with owners and builds awareness of the city’s variety of historic resources. A newsletter similar to the Lakes & Waterways newsletter would spotlight different historic resources and aspects of local history as well as provide information and advice to the owners of historic properties. Self-guided walking tours of downtown and residential neighborhoods could be developed using technology such as QR codes. Regular walking tours led by staff and volunteers could also be offered to build awareness and appreciation of local history and architecture. Educational programs could also explain how the “greenest” building is the one already existing, and how to improve the sustainability of historic buildings.

**Development.** The ability to add or activate an accessory dwelling unit such as a garage apartment has been fairly popular. It not only offers owners an income producing opportunity, but it creates additional housing opportunities while preserving historic resources. The existing ordinance allows owners of historic properties to make variance requests to the Historic Preservation Board for appropriate designs for additions. Historic properties often do not meet current zoning requirements but don’t meet a hardship definition, thus appropriate additions require a variance. This has been attractive to owners as a means to keep historic properties in contemporary use, and streamlines the certificate of review process.

**Financial.** The City does not charge for listing properties on the Winter Park Register of Historic Places or for a certificate of review. The existing local code and state statutes allow tax valorum tax benefits for major restoration of historic properties that would otherwise add to taxable value. Given the limits on increasing taxes on homestead properties and the paperwork procedures, this has not attracted consideration. The proposed new ad valorum tax credit would apply to a portion of the taxes paid by a well preserved historic commercial or multi-family building in public view. The amount of local tax reduction would be made on a case by case basis.

The city could rebate the portion of building permit fees charged for historic property projects as an incentive to rehabilitation. The city can and has received the donation of historic façade easements which may allow owners a federal tax benefit. The city could also explore the option to buy preservation easements that would permanently protect historic properties but in that case would not include tax benefits for owners. The city could also offer rehabilitation grant for property improvements. The grants could focus on electrical system, plumbing, heating and cooling and fire suppression to ensure the longevity and safety of historic structures. The city could offer electric undergrounding to historic
property owners at no charge. Historic districts could be offered period appropriate decorative streetlights at no charge.

The City could consider a transfer of development rights (TDR) program for historic commercial properties in the downtown area. Policies would have to be developed to determine what properties have development potential to transfer, and a receiving area to accept the additional development would have to be determined. For exceptional historic properties that are threatened, the City could buy them and resell with a preservation plan to an appropriate owner.

The new financial incentives could be funded through a historic preservation reinvestment fund dedicated to providing financial assistance to designated historic properties. The funds could come from a small fee charged to new construction and/or an annual budget.
RESOLUTION NO._____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, ACCEPTING RECOMMENDATIONS FOR INCENTIVES FOR HISTORIC PRESERVATION FROM THE HISTORIC PRESERVATION BOARD.

WHEREAS, there are located within the City of Winter Park historic sites, areas, structures, buildings, improvements and appurtenances, both public and private, both on individual properties and in groupings, that serve as reminders of past eras, events, and persons important in local, state and national history; or that provide significant examples of past architectural styles and development patterns and that constitute unique and irreplaceable assets to the City; and

WHEREAS, the City Commission recognizes that the sites and properties of historical, cultural, archaeological, aesthetic and architectural merit contribute to the public health, welfare, economic well-being and quality of life of the citizens of Winter Park; and

WHEREAS, Chapter 58, Article VIII. Historic Preservation includes monetary and non-monetary incentives for historic preservation; and

WHEREAS, as directed by the City Commission of the City of Winter Park, the Winter Park Historic Preservation Board is recommending additional monetary and non-monetary incentives to encourage and support historic preservation;

NOW, THEREFORE, be it resolved by the City Commission of the City of Winter Park, Florida that:

The City Commission of the City of Winter Park hereby supports and endorses the recommended incentives for historic preservation from the Historic Preservation Board in Exhibit A, subject to additional policy implementation and funding.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park held in City Hall, Winter Park on this ______ day of_______________ 2015.

__________________________________________
Steve Leary, Mayor

ATTEST:

__________________________________________
City Clerk
<table>
<thead>
<tr>
<th>Status</th>
<th>Incentive</th>
<th>Type</th>
<th>Cost</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing</td>
<td>Plaque program</td>
<td>Promotion/Educational</td>
<td>Budget</td>
<td>Offered to owners of designated properties</td>
</tr>
<tr>
<td>Existing</td>
<td>Accessory dwelling unit</td>
<td>Development</td>
<td>No cost</td>
<td>Single Family residential bonus ADU</td>
</tr>
<tr>
<td>Existing</td>
<td>Ad valorem tax residential rehabilitation</td>
<td>Financial</td>
<td>Property specific</td>
<td>Offered for major rehabilitation projects for 10 year period</td>
</tr>
<tr>
<td>Existing</td>
<td>HPB variance review</td>
<td>Development</td>
<td>No cost</td>
<td>No owner cost or hardship requirement for appropriate design</td>
</tr>
<tr>
<td>Existing</td>
<td>FL Building Code flexibility</td>
<td>Development</td>
<td>No cost</td>
<td>Flexibility allowed by the FBC for designated properties</td>
</tr>
<tr>
<td>Existing</td>
<td>No fee for designation or Certificate of Review</td>
<td>Financial</td>
<td>Staff time</td>
<td>No application fees charges to owners</td>
</tr>
<tr>
<td>Existing</td>
<td>Preservation easement donation</td>
<td>Financial</td>
<td>Project specific</td>
<td>City can receive preservation easements that may give owners tax benefits</td>
</tr>
<tr>
<td>Proposed</td>
<td>Preservation easement purchase</td>
<td>Financial *</td>
<td>Project specific</td>
<td>City could purchase future development rights</td>
</tr>
<tr>
<td>Proposed</td>
<td>Ad valorem tax commercial preservation</td>
<td>Financial *</td>
<td>Property specific</td>
<td>For commercial properties in public view and case by case basis</td>
</tr>
<tr>
<td>Proposed</td>
<td>HP resource guide</td>
<td>Educational/Technical</td>
<td>Staff time</td>
<td>Located at WPPL and/or City Hall</td>
</tr>
<tr>
<td>Proposed</td>
<td>HP resource library</td>
<td>Educational/Technical</td>
<td>Budget</td>
<td>Located at WPPL and/or City Hall</td>
</tr>
<tr>
<td>Proposed</td>
<td>HP newsletter</td>
<td>Educational/Promotional</td>
<td>Staff time and printing costs if in print</td>
<td>Highlights properties and provides technical information</td>
</tr>
<tr>
<td>Proposed</td>
<td>Walking tours</td>
<td>Educational/Promotional</td>
<td>Staff time and printing costs if in print</td>
<td>Could be in partnership with HP organizations</td>
</tr>
<tr>
<td>Proposed</td>
<td>Illustrated design guidelines</td>
<td>Educational/Development</td>
<td>Budget</td>
<td>Provides illustrated guidelines for appropriate rehabilitation and infill development</td>
</tr>
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<tr>
<td>Proposed</td>
<td>Building assessment</td>
<td>Technical</td>
<td>Staff time</td>
<td>Assist owners in preservation planning to a greater and more technical degree</td>
</tr>
<tr>
<td>Proposed</td>
<td>Reduced permit fees</td>
<td>Financial *</td>
<td>Rehabilitation specific</td>
<td>Amend fee schedule to rebate city portion of permitting fees</td>
</tr>
<tr>
<td>Proposed</td>
<td>Expedited plan review and inspection</td>
<td>Development</td>
<td>Staff time</td>
<td>Involves both Planning and Building departments</td>
</tr>
<tr>
<td>Proposed</td>
<td>Transfer of density (TOD) for commercial properties</td>
<td>Development</td>
<td>No cost</td>
<td>Requires a policy and receiving area to accept additional density/intensity from downtown</td>
</tr>
<tr>
<td>Proposed</td>
<td>Preservation investment fund</td>
<td>Financial *</td>
<td>Project specific</td>
<td>% of construction costs reserved for preservation activities. Establish Commission policy.</td>
</tr>
<tr>
<td>Proposed</td>
<td>Rehabilitation grants</td>
<td>Financial *</td>
<td>Project and budget specific cost</td>
<td>Establish Commission policy and program</td>
</tr>
<tr>
<td>Proposed</td>
<td>Undergrounding electric building to main line</td>
<td>Financial *</td>
<td>Budget</td>
<td>Estimated to be about a $3,000 benefit</td>
</tr>
<tr>
<td>Proposed</td>
<td>Period appropriate streetlights for districts</td>
<td>Financial *</td>
<td>Budget</td>
<td>Adds property value and pedestrian safety to walkable historic neighborhoods</td>
</tr>
<tr>
<td>Proposed</td>
<td>City acquisition</td>
<td>Financial *</td>
<td>Property specific</td>
<td>Establish Commission policy for unique and threatened properties</td>
</tr>
</tbody>
</table>

*These incentives would require establishing policies and the appropriation of funding.*