

ORDINANCE NO. 2646-05

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING" TO PROVIDE ALLOWANCES FOR ADDITIONAL HEIGHT ON BUILDINGS FOR PARAPET WALL HEIGHTS ON ROOFS AND ROOFTOP MECHANICAL EQUIPMENT WITHIN THE OFFICE (O-2) AND COMMERCIAL SHOPPING CENTER (C-1) DISTRICTS COMPARABLE TO THAT PERMITTED IN THE OTHER OFFICE AND COMMERCIAL ZONING DISTRICTS, TO PROVIDE CONSISTENCY AMONG THE ZONING DISTRICTS AND TO ADD CERTAIN CONDITIONAL USES TO THE R-2 DISTRICT.

(ZTA2:05)

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

**SECTION 1.** That Chapter 58 "Land Development Code" Article III "Zoning" of the Code of Ordinances is hereby amended by modifying Section 58-69 "Multi-family (high density R-4) district" subsection (e) paragraph (4) to read as follows:

(4) In no case shall the building height as defined in this article exceed 55 feet. See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 2.** That Chapter 58 "Land Development Code" Article III "Zoning" of the Code of Ordinances is hereby amended by modifying Section 58-71 "Office (O-1) district" subsection (f) paragraph (3) to read as follows:

(3) See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 3.** That Chapter 58 "Land Development Code" Article III "Zoning" of the Code of Ordinances is hereby amended by adding Section 58-72 "Office (O-2) district" subsection (e) paragraph (6) to read as follows:

(6) Parapet walls or mechanical equipment and related roof top structures are limited to the allowable building height for this district.

**SECTION 4.** That Chapter 58 "Land Development Code" Article III "Zoning" of the Code of Ordinances is hereby amended by adding Section 58-73 "Commercial shopping center (C-1) district" subsection (e) paragraph (5) to read as follows:

(5) See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 5.** That Chapter 58 “Land Development Code” Article III “Zoning” of the Code of Ordinances is hereby amended by modifying Section 58-75 “General commercial (C-3) district” subsection (e) paragraph (3) to read as follows:

(3) See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 6.** That Chapter 58 “Land Development Code” Article III “Zoning” of the Code of Ordinances is hereby amended by modifying Section 58-76 “Limited commercial (C-3A) district” subsection (e) paragraph (3) to read as follows:

(3) See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 7.** That Chapter 58 “Land Development Code” Article III “Zoning” of the Code of Ordinances is hereby amended by modifying Section 58-77 “Limited industrial and warehouse (I-1) district” subsection (d) paragraph (2) to read as follows:

(2) If a building greater than one-story is constructed, a floor area ratio (FAR) of 0.45 shall be used. In no case shall the building height as defined in this article exceed 55 feet or 35 feet within the area bounded by and/or fronting on Virginia, Fairbanks, Interlachen and Swoope Avenues. See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 8.** That Chapter 58 “Land Development Code” Article III “Zoning” of the Code of Ordinances is hereby amended by modifying Section 58-78 “Public and quasi-public (PQP district” subsection (e) paragraph (6) to read as follows:

(6) See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 9.** That Chapter 58 “Land Development Code” Article III “Zoning” of the Code of Ordinances is hereby amended by modifying Section 58-79 “Parking lot (PL) District” subsection (b) paragraph (6) to read as follows:

(6) See Section 58-62(i) for requirements for mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets.

**SECTION 10.** That Chapter 58 “Land Development Code” Article III “Zoning” of the Code of Ordinances is hereby amended by modifying Section 58-62 “General provisions” subsection (i), to read as follows:

(i) Mechanical penthouses, rooftop mechanical equipment, stair tower enclosures, elevators and parapets. Mechanical penthouses, mechanical equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total

height of ten feet above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets or mansard roofs may extend a maximum of five feet above the height limit in the zoning district unless other parapet heights are directed by the respective zoning district. The requirements regulating additional height for mechanical rooftop areas and parapets in this paragraph apply only to the following zoning districts: R-4, O-1, C-1, C-3, C-3A, I-1, PQP and PL. In addition, mechanical equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts.

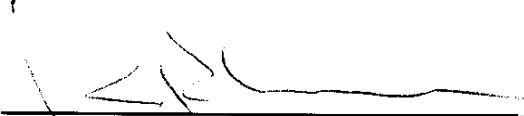
**SECTION 11.** That Chapter 58 "Land Development Code" Article III "Zoning" of the Code of Ordinances is hereby amended by adding Section 58-67 "Low density residential (R-2) district" subsection (e) paragraphs (3) and (4) to read as follows:

- (3) Adult congregate living facilities.
- (4) Tennis courts.

**SECTION 12.** All ordinances or portions or ordinances in conflict herewith are hereby repealed.

**SECTION 13.** 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 12<sup>th</sup> day of September, 2005.

  
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Mayor Kenneth R. Marchman

ATTEST:

  
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City Clerk