

**ORDINANCE NO. 2659-06**

**AN ORDINANCE OF THE CITY OF WINTER PARK,  
FLORIDA, AMENDING CHAPTER 58 "LAND  
DEVELOPMENT CODE" ARTICLE III, "ZONING  
REGULATIONS" SECTION 58-82 "GENERAL PROVISIONS"  
SO AS TO REQUIRE SPACE BE PROVIDED FOR PAD  
MOUNTED TRANSFORMERS.**

(ZTA 7:05)

**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 and modified by amending Section 58-82 "General Provisions", Subsection (x), to revise the requirements for undergrounding or utilities including requiring space be provided for pad mounted transformers to read as follows:

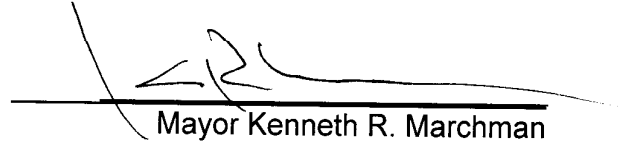
**Section 58-82. General provisions.**

- (x) Underground utilities.
- (1) It is the intent of the city to improve the aesthetic appeal of the city and the reliability of utility service by requiring that utility lines such as electric, telephone, cable TV, fiber optics and other utilities, be placed underground in conjunction with the construction of all new buildings. The implementation of underground utilities shall also be required as a component to the substantial renovation of any existing building. Substantial renovations shall be interpreted as when the building permit value of such renovations and/or additions exceeds fifty (50%) percent of the value of the existing improvements on the most current property tax roll. Property owners shall provide space on-site within the private property or within the building for any necessary pad mounted transformers and switch gear and shall screen such to the degree possible with landscaping or other approved screening when visible from the public right-of-way.
- (2) The City recognizes that certain physical elements such as existing buildings, swimming pools, large trees and such may impose unreasonable hardships on property owner's compliance with the placement of utilities underground. Upon confirmation of these hardships by the utility companies, the building official may waive this requirement for such projects or may allow the waiver of one required parking space to be used for the required pad mounted transformer and switch gear when such projects have in excess of twenty-five (25) parking spaces.

**SECTION 2.** All ordinances or portions or ordinances in conflict herewith are hereby repealed.


**SECTION 3.** 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 23<sup>rd</sup> day of January, 2006.



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Mayor Kenneth R. Marchman

ATTEST:



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City Clerk