

## ORDINANCE 3316-24

### **AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE", ARTICLE III, "ZONING REGULATIONS" SUBSECTION 58-86 "OFF-STREET PARKING AND LOADING REGULATIONS" SO AS TO MODIFY THE MULTI-FAMILY RESIDENTIAL, RETAIL, OFFICE AND RESTAURANT PARKING REGULATIONS WITHIN THE CITY PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Florida Legislature has adopted Chapter 163, Florida Statutes which requires all local communities to adopt amendments to their Land Development Codes to implement the growth and development policies of Comprehensive Plans adopted pursuant to Chapter 163, Florida Statutes and Florida Administrative Rules in order to provide appropriate policy guidance for growth and development: and

**WHEREAS**, the Winter Park City Commission adopted a new Comprehensive Plan on February 14, 2024 via Ordinance 3291-24; and

**WHEREAS**, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and recommended adoption of proposed amendments to the Zoning Regulations portion of the Land Development Code having held an advertised public hearing on September 3, 2024, and rendered its recommendations to the City Commission; and

**WHEREAS**, the Winter Park City Commission has reviewed the proposed amendments to the Zoning Regulations portion of the Land Development Code and held advertised public hearings on September 25, 2024 and on October 9, 2024; and

**WHEREAS**, the portions of Chapter 58, Land Development Code, Article III, Zoning Regulations that are to be amended and modified as described in each section and amended to read as shown herein where words with single underlined type shall constitute additions to the original text and ~~strike-through~~ shall constitute deletions to the original text.

**NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION 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 within Section 58-86 "Off-street Parking and Loading Regulations", Subsection (b) (9), (18), (21) and (22) in the "Zoning" Article of the Land Development Code to read as follows:

(b) *Specific requirements for various uses and buildings.* Listed below are the minimum parking spaces required for various buildings and uses. When the computation results in a requirement for a fractional space, a fraction of one-half or less shall be disregarded. When the fraction exceeds one-half, one additional off-street parking space will be required. In no case shall a parking lot be constructed or converted that provides more than two hundred (200%) of the minimum required

parking spaces. A variance shall be required for any parking lot providing over two hundred (200%) of the minimum required parking spaces. Parking spaces, other than handicapped spaces, shall be nine (9) feet wide by eighteen (18) feet deep. Variances to reduce the size of parking spaces are prohibited. The Central Business District, as specified in this section, shall be the geographic area depicted in the CBD Map D-2 within the Definitions section of this Code; the New England Avenue portion of the Hannibal Square Neighborhood Commercial District shall be the same as detailed in the Hannibal Square District exclusion area and the Orange Avenue Corridor shall include any property with frontage directly on Orange Avenue from Fairbanks Avenue to Orlando Avenue.

(9) *General business and retail commercial:* ~~Within the Central Business District, the New England Avenue portion of the Hannibal Square Neighborhood Commercial District and along the Orange Avenue Corridor,~~ One parking space for each 333 square feet of gross floor space and ~~within the other areas of the City,~~ one parking space for each 250 square feet of gross floor space in the building.

(18) *Office, professional or public buildings:* ~~Within the Central Business District, the New England Avenue portion of the Hannibal Square Neighborhood Commercial District and along the Orange Avenue Corridor,~~ One parking space for each 333 square feet of gross floor space and ~~within the other areas of the City,~~ one parking space for each 250 square feet of gross floor space in the building up to the first 20,000 square feet of floor area, and one space for each 333 400 square feet of floor space in the building for floor area more than 20,000 15,000 square feet in size.

(21) *Residential dwellings.* Two spaces per dwelling unit for any residential project of two units or less. In multi-family residential projects of three or more units, 1.25 spaces for a one-bedroom unit or studio, 2 spaces for a two-bedroom unit, and 2.5 spaces for a three-bedroom unit or 2.5 two and one-half spaces per dwelling unit larger than 2,000 sq. ft. in size. ~~for any residential project of than three units or more.~~ The planning and zoning ~~board~~~~commission~~ may recommend and the city commission may approve variances to these provisions where conditions warrant, when part of conditional use reviews.

(22) *Restaurants, food service establishments, nightclubs, taverns or lounges:* One parking space for each ~~50 square feet of floor space for patron use on the premises or~~ one space for every three seats, ~~whichever is greater.~~ However, within the Central Business District, along the Orange Avenue Corridor and within the New England Avenue portion of the Hannibal Square Neighborhood Commercial District, the minimum requirement shall be one space for every four seats. Establishments with 12 seats or less shall be classified as retail.

**SECTION 2.** That Chapter 58 "Land Development Code", Article III "Zoning" of the Code of Ordinances is hereby amended and modified within Section 58-86 "Off-street Parking and Loading Regulations", Subsection (3) (h) in the "Zoning" Article of the Land Development Code to read as follows:

(3) *Design, construction and operation of parking lots and parking garages.*

h. *Mixed uses and shared parking.* In the case of mixed uses and shared parking, the total requirements for off-street parking and loading spaces shall be the sum of the requirements of the various uses computed separately as specified in the off-street parking regulations and off-street loading and unloading regulations of this article. The off-street parking and off-street loading space for one use shall not be considered as providing the required off-street parking and/or off-street loading space for any other use unless specifically provided for based upon the entire time period of usage and need as supported by the Urban Land Institute's Methodology for Shared Parking Exclusion report, as may be amended. The City may deny the use of shared parking if the City reasonably determines that the shared parking is not feasible. In any multi-family building or mixed use building or project, that includes residential units, constructed after September 1, 2017, at least one of the required parking spaces provided for each residential unit shall be dedicated and reserved for each particular residential unit and shall be provided to each residential unit at no additional cost as part of a monthly or other lease term other than as included in the base lease rate applicable to all other similar units and shall not be an additional cost for purchase over the agreed upon purchase price of the residential unit.

**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. 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, Sections 1 and 2 shall become and be made a part of the Code of Ordinances of the City of Winter Park, Florida, and not Sections 3-7;

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

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its 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 17th day of October, 2024.

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Sheila DeCiccio, Mayor

ATTEST:

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Rene Cranis, City Clerk