

## ORDINANCE 3319-24

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE VIII, "AFFORDABLE AND WORKFORCE HOUSING" OF THE CODE OF ORDINANCES OF THE CITY OF WINTER PARK SO AS TO AMEND PROVISIONS REGARDING THE HOUSING LINKAGE FEE AS NECESSARY TO IMPLEMENT THE CITY OF WINTER PARK, COMPREHENSIVE PLAN, GOALS, OBJECTIVES AND POLICIES DOCUMENT, DATED FEBRUARY 14, 2024; PROVIDING FOR CONFLICTS; 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 City Commission has reviewed the proposed amendments to the Code of Ordinances and held advertised public hearings on September 25, 2024 and on October 9, 2024 and advertised notice of such public hearings in the Orlando Sentinel pursuant the requirements of Chapter 166, Florida Statutes; and

**WHEREAS**, the portions of Chapter 2 "Administration", Article VIII, "Affordable and Workforce Housing" of the Code of Ordinances of The City of Winter Park, 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 OF WINTER PARK:**

**SECTION 1.** That Chapter 2 "Administration", Article VIII "Affordable and Workforce Housing" of the Code of Ordinances is hereby amended and modified by revising subsection 2-202 Affordable and workforce housing fee established" to read as follows:

**Sec. 2-202. - Affordable and workforce housing linkage fee established.**

- (a) In order to implement affordable and workforce housing programs as may be established or financially supported by the city commission, an affordable and workforce housing linkage fee is hereby established to be paid at the time of issuance of building permits. The city commission shall adopt such fees at the time of approval of the city fee schedule and may designate the allocation of such fees: to the Affordable Housing Trust Fund.

- (b) The affordable housing linkage fee shall be assessed for all new construction on vacant lots, for all new net building additions and such fees shall apply to the renovation or redevelopment of existing buildings and interior building space when the building permit value exceeds 50 percent of the value of the building on the most recent Orange County property tax roll at the time of construction.
- (c) In accordance with Policy 3.2.0.5 of the Comprehensive Plan, the above referenced affordable and workforce housing linkage fee may only be reduced or eliminated based upon amendment to this section.
- (d) In the event of adoption of an inclusionary housing ordinance, there may be established, a fee-in-lieu as an opt-out for property owners and their related builders, developers.

**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 Ordinance of the City of Winter Park, Florida;

**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 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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Mayor Sheila DeCiccio

ATTEST:

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Rene Cranis, City Clerk