



# city commission work session agenda

**City Commission Work  
Session  
February 25, 2021  
1:00 pm  
Virtual**

mayor & commissioners				
seat 1 Marty Sullivan	seat 2 Sheila DeCiccio	Mayor Steve Leary	seat 3 Carolyn Cooper	seat 4 Todd Weaver

## welcome

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Welcome to the City of Winter Park City Commission meeting. The agenda for regularly scheduled Commission meetings is posted outside City Hall the Wednesday before the meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at [cityofwinterpark.org](http://cityofwinterpark.org).

## agenda

\*times are projected and  
subject to change

- 1. Call to Order**
- 2. Discussion Item(s)**
  - a. [Orange Avenue Overlay - Comprehensive Plan Element](#) 60 minutes
- 3. Adjournment**

## appeals and assistance

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"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](tel:407-599-3277)) at least 48 hours in advance of the

meeting."



## City Commission Work Session

# agenda item

item type Discussion Item(s)	meeting date February 25, 2021
prepared by Bronce Stephenson	approved by Michelle Neuner, Randy Knight
board approval Completed	
strategic objective	

### subject

Orange Avenue Overlay - Comprehensive Plan Element

### motion / recommendation

### background

The Orange Avenue Overlay District consists of two major elements:

1. Creation of the Overlay District and language creating the standards of development in the Zoning Code.
2. Updating the Comprehensive Plan via Ordinance to create the Overlay District, update the Future Land Use Map and create policies that will be used for the implementation of the Overlay.

Staff has worked with the Commission for many months to create the Orange Avenue Overlay after the repeal of the former Overlay District Language. Staff and the Commission have held in depth discussions of all aspects of the Overlay District, allowing for the creation of drafts that will be brought forward for discussion by the Commission and to allow for public input prior to finalization of the drafts and subsequent Citywide Notice and Public Hearings by the Planning & Zoning Board and the City Commission.

According to submittal requirements of a Comprehensive Plan Amendment to the Florida Department of Economic Opportunity, Community Development Division, the following criteria should be in the Comp Plan Amendment (please note that all may not apply to this future submittal):

1. All proposed text in a strike-through/underline format (or similar easily identifiable format)
2. Staff, local planning agency, and local governing body recommendations
3. Support documents or summaries of the support documents on which the recommendations regarding the proposed plan amendment(s) are based
4. For future land use map amendments, color maps depicting:

- The proposed future land use designation of the subject property
  - The boundary of the subject property and its location in relation to the surrounding street and thoroughfare network
  - The present future land use map designations of the subject properties and abutting properties
5. An existing land use map depicting:
    - The existing land use(s) of the subject property and abutting properties
    - The size of the subject property in acres or fractions thereof
  6. A description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, schools (if local government has adopted school concurrency), and recreation, as appropriate
  7. Information regarding the consistency of the proposed land use amendments with the future land use element goals, objectives and policies, and those of other affected elements
  8. If a local government relies on data and analysis from a previous amendment, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the amendment
  9. If previous data and analysis is no longer the best available existing data or no longer supports the plan, copies of updated and reanalyzed data and analysis to support the proposed amendment

Based on the input provided to staff, the attached draft of the Comp Plan Ordinance is being brought forward for discussion by the Commission.

#### [alternatives / other considerations](#)

#### [fiscal impact](#)

#### ATTACHMENTS:

[Comp Plan OADraft 2.2.2021 - Commission Working Version.pdf](#)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE I, AND THE COMPREHENSIVE PLAN SO AS TO ADOPT NEW GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE ELEMENT TO ESTABLISH THE ORANGE AVENUE OVERLAY DISTRICT; PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution, held advertised public meetings, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

**WHEREAS**, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and voted to recommend adoption of these proposed amendments to the Zoning Regulations portion of the Land Development Code, having held a public hearing, which was noticed to every property Citywide, on \_\_\_\_\_; and

**WHEREAS**, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held an advertised public hearing, which was noticed to every property Citywide, on \_\_\_\_\_ and will have a second advertised public hearing after review and compliance with any requested changes by required State Agencies, and provided for public participation in the process in accordance with the requirements of State law and the Comprehensive Plan; and

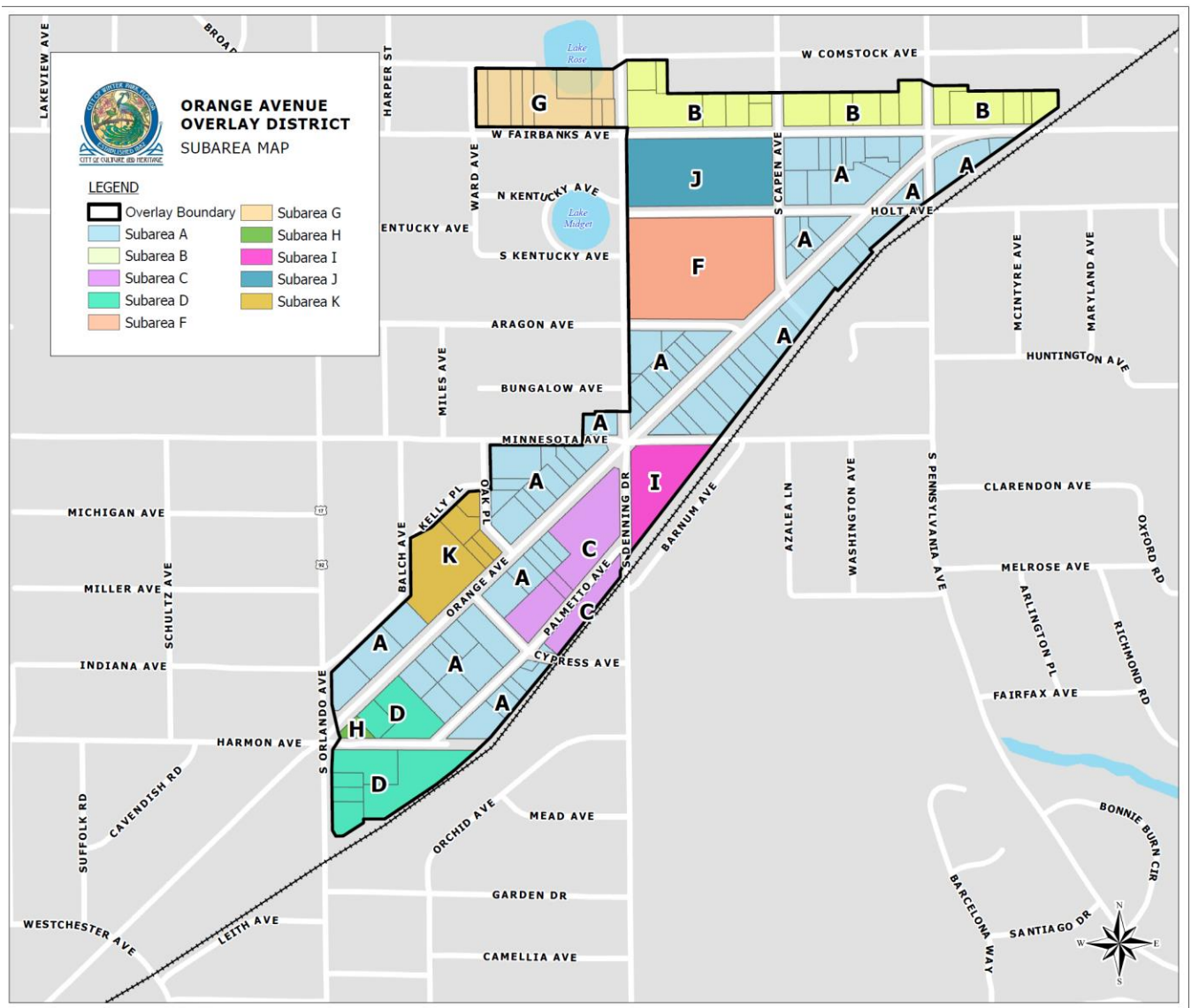
**WHEREAS**, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

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

**SECTION 1. Amendment.** That Chapter 58 "Land Development Code", Article I "Comprehensive Plan" is hereby amended by adding to the Goals, Objectives and Policies in the Future Land Use Element to read as follows:

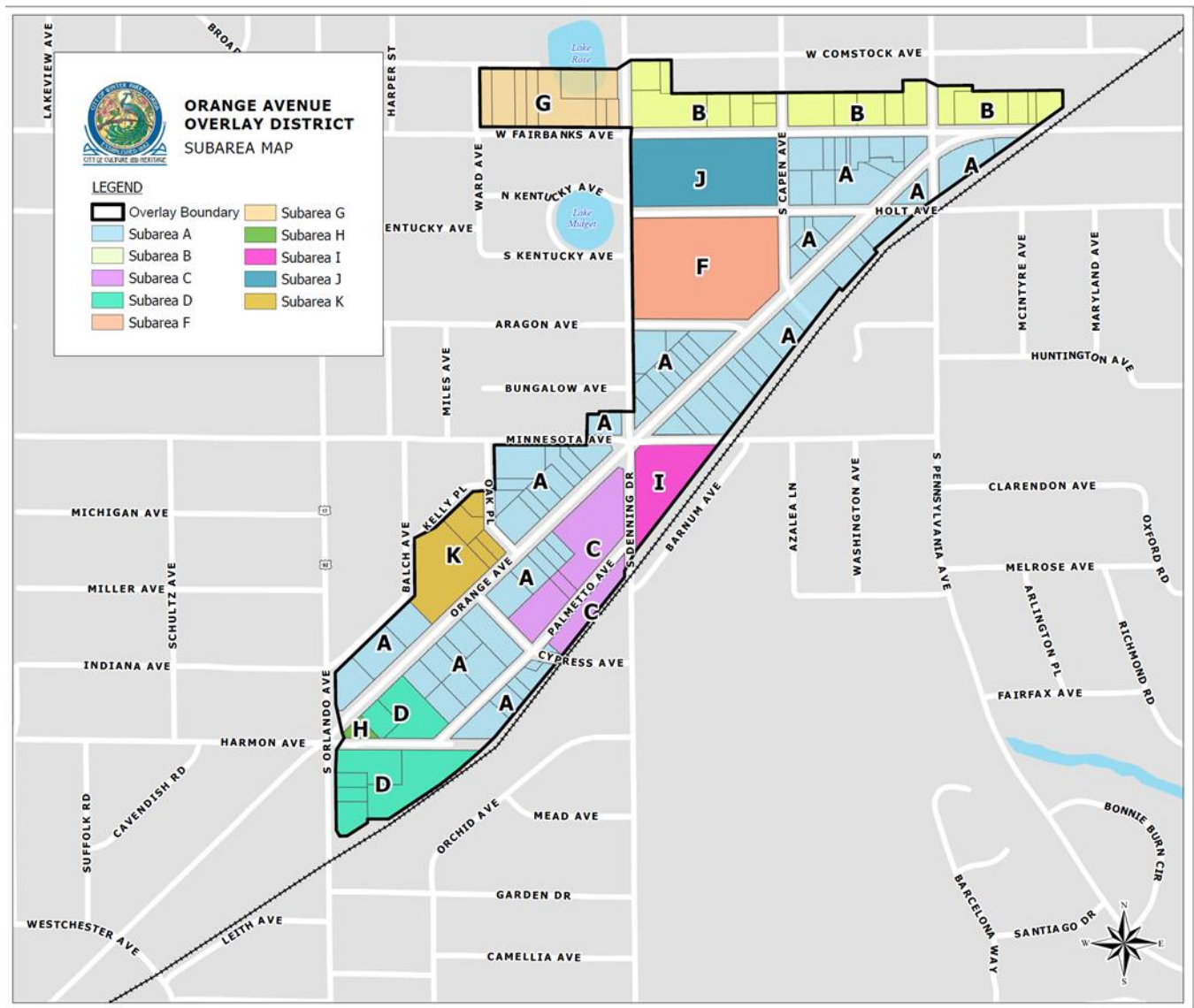
**GOAL 1-8: Establishment of the Orange Avenue Overlay District.** The City shall establish the Orange Avenue Overlay District in order to implement specific purposes, intents, and design standards, which shall be applied as additional standards to other regulations required by the City to an area defined as the Orange Avenue Overlay District.

**OBJECTIVE 1-8.1: Orange Avenue Overlay District.** The boundaries of the Orange Avenue Overlay District are identified in FLUM-1-24 and the Policies regarding this Overlay District shall be established as defined herein.



**Policy 1-8.1.1: Conflicts and Inconsistencies.** Where any Policies within this Comprehensive Plan, including any Planning Area Policies, are found to be in conflict with the Policies set forth for the Orange Avenue Overlay District, the following Policies found herein shall apply and shall supersede any language found to be in conflict.

**Policy 1-8.1.2: Orange Avenue Overlay District Subareas.** The Orange Avenue Overlay District Subarea Map, FLUM-1-25, shall delineate the different subareas and their specific development standards. Changes to the subarea map shall not be allowed. Each area has unique characteristics, issues and opportunities. The base and maximum achievable Floor Area Ratio (FAR), height and residential densities (if applicable) for each subarea are defined below. A percentage-based upgrade system is established for certain properties within the Orange Avenue Overlay District to possibly earn additional FAR up to their maximum achievable FAR, by providing certain public improvements and area-wide solutions is outlined in the Land Development Code.



- (1) Subarea A.
  - a. Base Floor Area Ratio: 45%
  - b. Maximum Achievable Floor Area Ratio: 60%(only with residential)
  - c. Maximum Height: 2 Stories for any properties abutting Orange Avenue and Minnesota Avenue, and 3 stories for all other properties within the subarea.
  - d. Maximum Residential Density: 17 units per acre
- (2) Subarea B.
  - a. Base Floor Area Ratio: 45%
  - b. Maximum Achievable Floor Area Ratio: 60% (only with residential)
  - c. Maximum Height: 3 Stories
  - d. Maximum Residential Density: 17 units per acre
- (3) Subarea C.
  - a. Maximum Floor Area Ratio: 25%
  - b. Maximum Floor Area Ratio of Parking Structure: 65%
  - c. Maximum Height: 2 stories

- d. Maximum Height of Parking Structure: 3 levels, plus open top level.
- e. Maximum Residential Density: 0 units per acre
- (4) Subarea D.
  - a. Base Floor Area Ratio: 60%
  - b. Maximum Achievable Floor Area Ratio: 100%
  - c. Maximum Height: 4 Stories
  - d. Maximum Residential Density: 17 units per acre
- (5) Subarea F.
  - a. Base Floor Area Ratio: 20%
  - b. Maximum Achievable Floor Area Ratio: 20%
  - c. Maximum Height: 2 Stories
  - d. Maximum Residential Density: Residential uses shall not be permitted.
- (6) Subarea G.
  - a. Base Floor Area Ratio: 45%
  - b. Maximum Achievable Floor Area Ratio: 45%
  - c. Maximum Height: 2 stories
  - d. Maximum Residential Density: 17 units per acre
- (7) Subarea H.
  - a. Base Floor Area Ratio: 0%
  - b. Maximum Achievable Floor Area Ratio: 0%
  - c. Maximum Height: N/A
  - d. Maximum Residential Density: Residential uses shall not be permitted.
- (8) Subarea I.
  - a. Base Floor Area Ratio: 45%
  - b. Base Floor Area with Residential: 60%
  - c. Maximum Achievable Floor Area Ratio: 100%
  - d. Maximum Height: 3 Stories
  - e. Maximum Residential Density: 17 units per acre
- (9) Subarea J.
  - a. Base Floor Area Ratio: 60%
  - b. Maximum Achievable Floor Area Ratio: 100%
  - c. Maximum Height: 3 Stories
  - d. Maximum Residential Density: 17 units per acre
- (10) Subarea K.
  - a. Base Floor Area Ratio: 45%
  - b. Maximum Achievable Floor Area Ratio: 60% (additional square footage only allowed for parking structure)
  - c. Maximum Height: 2 Stories
  - d. Maximum Residential Density: 17 units per acre

**Policy 1-XXX: Meaningful Open Space Requirements.** It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation



of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering 1.5 acres, that is redeveloped shall provide a minimum of 25% meaningful open space, which is open to and available to the public. At least 50% of open-space areas provided shall be greenspace and 50% of the required open-space area shall be pervious or semi-pervious. Pervious areas such as retention ponds, parking lot islands or landscape planting areas around building bases shall not be counted as open space. Existing park space shall not count towards open space requirements. Open space shall be areas that are open and inviting to the public. Open space can include green areas, hardscape areas, semi-pervious areas, balcony or roof areas that are open to the public and other similar-type spaces. At least 90% of the open space shall be provided at ground level.

**Policy 1 -XXX: Parallel Orange Avenue Access.** Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be considered to be closed, vacated or re-aligned, so long as a parallel access road, as approved by the City Commission, is maintained to allow vehicular access between Orlando Avenue and Denning Drive. Protection of on-street parking, maximizing ease of traffic flow for Palmetto Avenue and maintaining the existing 50 foot public right of way shall be matters of priority concern should the roadway be re-aligned.

**Policy 1-XXX: Contribution to Transportation Infrastructure.** Development and redevelopment within the OAO requiring a conditional use approval shall contribute to the cost of transportation improvements prior to permitting based upon the estimated cost to fund the design, engineering, permitting and construction of those transportation projects within or proximate to the OAO that are impacted by such development or redevelopment. The owner and developer of a project shall enter into an agreement with the City, as part of conditional use approval.

**Policy 1-XXX: Appearance Review.** In addition to meeting the architectural standards as set forth in this section. All external renovation or development projects within the OAO shall undergo Appearance Review prior to permitting.

**Policy 1-8.1.6: Floor Area Ratio for Parking Structures.** Parking structures shall count towards the floor area ratio (FAR) for any project/property within the Orange Avenue Overlay District, except for the ground level and top story, provided that the conditions listed within the Land Development Code are met for each structure. Parking structures that do not provide the requirements listed in the Land Development Code shall not be exempt from FAR calculations, and therefore must count the parking garage square footage towards their FAR calculations.

**SECTION 2. Vesting.** In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying

zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

**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.** To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

**SECTION 5. Codification.** Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Comprehensive Plan, and the sections of this Ordinance may be renumbered or re-lettered to accomplish this intention. The word "Ordinance" may be changed to "Section," "Article," or other appropriate word. The City Clerk is given liberal authority to ensure proper codification of this Ordinance, including the right to correct scrivener's errors.

**SECTION 6. Effective Date.** The Comprehensive Plan amendments provided for under this Ordinance and this Ordinance do not become effective until 31 days after adoption of this Ordinance. If timely challenged, this Ordinance and the comprehensive plan amendments may not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining that the adopted amendments are 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 \_\_\_\_\_, 2021.

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Mayor

Attest:

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City Clerk Rene Cranis