# PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY

REGULAR MEETING AGENDA

**THURSDAY, APRIL 3, 2025 - 5:30 PM**

CITY HALL - COMMISSION CHAMBERS

1126 EAST STATE ROAD 434, WINTER SPRINGS, FLORIDA

## CALL TO ORDER

Roll Call
Invocation
Pledge of Allegiance
Agenda Changes

## AWARDS AND PRESENTATIONS

## INFORMATIONAL AGENDA

## PUBLIC INPUT

*Anyone who wishes to speak during Public Input on any Agenda Item or subject matter will need to fill out a "Public Input" form. Individuals will limit their comments to three (3) minutes, and representatives of groups or homeowners' associations shall limit their comments to five (5) minutes, unless otherwise determined by the City Commission.*

## CONSENT AGENDA

300. Approval of the Thursday, March 13, 2025 Planning and Zoning Board/Local Planning Agency Regular Meeting Minutes.
*2025 03 13 Planning and ZoningLPA Regular Meeting Minutes.pdf*

## PUBLIC HEARINGS AGENDA

400. Ordinance 2025-10: Parking Regulations
*Ordinance No. 2025-10 Parking Regulations PZB Draft 04-03-2025.pdf*

401. Ordinance 2025-09: Town Center Corner Store with Gas
*Ordinance No. 2025-09 Town Center Corner Store with Gas PZB Draft 04-03-2025.pdf*

## REGULAR AGENDA

# REPORTS

## PUBLIC INPUT

*Anyone who wishes to speak during Public Input on any Agenda Item or subject matter will need to fill out a "Public Input" form. Individuals will limit their comments to three (3) minutes, and representatives of groups or homeowners' associations shall limit their comments to five (5) minutes, unless otherwise determined by the City Commission.*

## ADJOURNMENT

## PUBLIC NOTICE

This is a Public Meeting, and the public is invited to attend and this Agenda is subject to change. Please be advised that one (1) or more Members of any of the City's Advisory Boards and Committees may be in

attendance at this Meeting, and may participate in discussions.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City of Winter Springs at (407) 327-1800 "at least 48 hours prior to meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26 *Florida Statutes*.

"If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or 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" - per Section 286.0105 Florida Statutes.

# CONSENT AGENDA ITEM 300

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AGENDA | APRIL 3, 2025 REGULAR MEETING

## TITLE

Approval of the Thursday, March 13, 2025 Planning and Zoning Board/Local Planning Agency Regular Meeting Minutes.

## SUMMARY

## FUNDING SOURCE

## RECOMMENDATION

Staff recommends approval of the Thursday, March 13, 2025 Planning and Zoning Board/Local Planning Agency Regular Meeting Minutes as presented.

**CITY OF WINTER SPRINGS, FLORIDA**
**MINUTES**
**PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY**
**REGULAR MEETING**
**MARCH 13, 2025**
**(RESCHEDULED FROM WEDNESDAY, MARCH 6, 2025)**

**CALL TO ORDER**
Chairperson Kok Wan Mah called the Thursday, March 13, 2025 Planning and Zoning Board/Local Planning Agency Regular Meeting to Order at 5:30 p.m., in the Commission Chambers of the Municipal Building (City Hall, 1126 East State Road 434, Winter Springs, Florida 32708.)

**Roll Call:**
Chairperson Kok Wan Mah, present
Vice-Chairperson Michael Ferrante, present
Board Member Louie Hilal, present
Board Member Rachel Hood, present
Board Member David Mahnken, present
Assistant City Attorney Kristin Eick, present
City Clerk Christian Gowan, present

Also present:
Ms. Terrilyn Rolle, Director, Community Development Department

A moment of silence was held, followed by the Pledge of Allegiance.

Chairperson Mah asked if there were changes to the agenda and, hearing none, the agenda was adopted.

**AWARDS AND PRESENTATIONS**
100. Not Used

**INFORMATIONAL AGENDA**
200. Not Used

**PUBLIC INPUT**
*Chairperson Mah opened Public Input.*
*No one addressed the Board.*
*Chairperson Mah closed Public Input.*

**CONSENT AGENDA**
**300) Approval of the Thursday, January 2, 2025 Planning and Zoning/ Local Planning Agency Regular Meeting Minutes**

**"I WILL MAKE A MOTION TO APPROVE THE MINUTES FROM THE JANUARY 2, 2025 PLANNING AND ZONING BOARD REGULAR MEETING AS WRITTEN." MOTION BY BOARD MEMBER HOOD. SECONDED BY BOARD MEMBER MAHNKEN. DISCUSSION.**

**VOTE: HILAL (AYE); HOOD (AYE); MAHNKEN (AYE); FERRANTE (AYE); MAH (AYE)**
**MOTION CARRIED 5-0.**

UNAPPROVED

**PUBLIC HEARINGS AGENDA**
**400) The Human Bean**

Ms. Rolle gave a presentation reviewing the proposed project, a coffee shop planned for construction in the existing Venetian Square parking lot. Ms. Rolle noted that staff was recommending approval with the following conditions:

1. Execution of proposed development agreement.
2. Substantial conformance to Exhibits.
3. Parking spaces shall be designed as 10' X 20' feet.
4. Building color palette of the elevations submitted shall be adjusted (lightened) to reflect a base color that harmoniously conforms to the white/light gray coloring of the main Venetian Square buildings.
5. The row of shrubs proposed to be planted for the streetscape shall be extended to the west property line.

Discussion followed on traffic flow, outdoor seating, lighting conditions, and the franchise.

Ms. Jan White, applicant, introduced herself, discussed the franchise, noted it would be the second location in Florida, and discussed potential hours of operation.

Mr. Kevin Hebert, MEI Partners, Civil Engineer discussed the Board's concerns and was amenable to the inclusion of a high intensity crosswalk, and lighting requirements if there was outdoor seating.

Discussion followed on the size of parking spaces. Mr. Hebert noted that several spaces were listed as 10' x 18' with 2' overhang and asked that this be allowed to meet the approval conditions. Staff did not object to allowing this and Attorney Eick suggested draft language for the Development Agreement.

Ms. Rolle summarized that the Board had amended condition three to allow the two-foot overhang and noted the inclusion of two additional conditions, one related to the installation of a high intensity crosswalk without railing, and the other related to lighting requirements if outdoor seating was installed.

*Chairperson Mah opened the Public Hearing for Item 400.*
*No one addressed the Board.*
*Chairperson Mah closed the Public Hearing for Item 400.*

**"MOTION TO RECOMMENDED APPROVAL WITH THE ACCEPTANCE OF THE CONDITIONS THAT WERE SPECIFIED AT THE END OF THE PRESENTATION, WITH THE AMENDMENTS DISCUSSED." MOTION BY BOARD MEMBER HOOD. SECONDED BY BOARD MEMBER HILAL. DISCUSSION.**

**VOTE: HILAL (AYE); HOOD (AYE); MAHNKEN (AYE); FERRANTE (AYE); MAH (AYE)**
**MOTION CARRIED 5-0.**

**REGULAR AGENDA**
500. Not Used

**REPORTS**

UNAPPROVED

**PUBLIC INPUT**
*Chairperson Mah opened Public Input.*
*No one addressed the Board.*
*Chairperson Mah closed Public Input*

**ADJOURNMENT**
Chairperson Mah adjourned the Regular Meeting at 6:22 p.m.

*RESPECTFULLY SUBMITTED:*

_____
CHRISTIAN D. GOWAN, MPA, CMC
CITY CLERK

UNAPPROVED

NOTE: These Minutes were approved at the *April 3, 2025* Planning and Zoning Board/Local Planning Agency Regular Meeting.

# PUBLIC HEARINGS AGENDA ITEM 400

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AGENDA | APRIL 3, 2025 REGULAR MEETING

## TITLE

Ordinance 2025-10: Parking Regulations

## SUMMARY

The Community Development Department has worked with the City Attorney's Office to draft proposed changes to Chapter 9, Land Development, to provide for additional regulations applicable to off-site parking lots and materials used to construct parking lots; and Chapter 20, Zoning, to provide that parking lots are permitted in the C-1 District, subject to regulations provided in Chapter 9.

The City Attorney's Office drafted the proposed changes to the various chapters of the City Code. Staff is recommending that the Planning & Zoning Board hold a Public Hearing and recommend approval of Ordinance 2025-10 to the City Commission.

## FUNDING SOURCE

## RECOMMENDATION

Staff recommends that the Planning & Zoning Board hold a Public Hearing and recommend approval of Ordinance 2025-10 to the City Commission.

**ORDINANCE NO. 2025-10**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF WINTER SPRINGS, FLORIDA TO ADD PARKING LOTS AS A PERMITTED USE IN THE C-1 DISTRICT, SUBJECT TO CERTAIN CONDITIONS; TO REVISE REQUIREMENTS FOR SURFACE MATERIALS USED FOR PARKING LOTS; TO ESTABLISH ADDITIONAL REGULATIONS FOR OFF-SITE PARKING LOTS; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under § 2(b), Art. VIII of the State Constitution, to exercise any power for municipal purposes except when expressly prohibited by law; and

**WHEREAS**, the City desires to amend Chapter 20, *Zoning*, Article III, *Establishment of District Regulations*, Division 7, *C-1 Neighborhood Commercial District*, to provide that parking lots are permitted in the C-1 District, subject to the regulations provided in Chapter 9, Article IV, Division 6; and

**WHEREAS**, the City desires to amend Chapter 9, *Land Development*, Article IV, *Required Improvements*, Division 6, *Off-Street Parking and Loading*, of the City Code to provide for additional regulations applicable to off-site parking lots and materials used to construct parking lots; and

**WHEREAS**, the City Commission of the City of Winter Springs, Florida, hereby finds this Ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Winter Springs.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS HEREBY ORDAINS, AS FOLLOWS:**

**Section 1.** **Recitals.** The foregoing recitals are hereby fully incorporated herein by this reference.

**Section 2.** **Amendment to Chapter 9*, Land Development*.** The City of Winter Springs Code of Ordinances, Chapter 9, *Land Development*, is hereby amended as follows:(underlined type indicates additions to the City Code and ~~strikeout~~ type indicates deletions, while asterisks (* * *) indicate a deletion from the Ordinance of text existing in Chapter 9. It is intended that the text in Chapter 9 denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to the adoption of this Ordinance):

## Chapter 9 – LAND DEVELOPMENT

* * *

## ARTICLE IV. – REQUIRED IMPROVEMENTS

* * *

### Division 6. – OFF-STREET PARKING AND LOADING[6]

* * *

### Sec. 9-278. – General provisions for off-street parking.

The off-street parking, loading and unloading requirements shall apply to all new buildings or structures, or any existing buildings that may be substantially altered and added to after the effective date of this section, except as otherwise provided in the sections of this Code.

* * *

(9) *Location* *and surface materials* *of parking spaces*. Parking spaces provided pursuant to this section must be ~~graveled or~~ hard-surfaced, which shall consist of asphalt, concrete, or pervious pavement or paver systems, and properly drained and shall be located on the same property as the principal building, ~~or on a properly zoned lot within three hundred (300) feet of the building. Such distance shall be walking distance measured from the nearest point of the parking lot to the nearest boundary of the property on which the building is located and that the parking lot is required to serve.~~ subject to the exceptions provided herein. In determining automobile parking spaces, if not shown by actual plan and count, three hundred (300) square feet of gross area per parking space will be used in computing the number of spaces. When units of measurements determining the number of required off-street parking and off-street loading spaces result in a requirement of a fractional space, any fraction up to and over one-half shall require one (1) off-street parking space or one (1) off-street loading space.

a. *Exception for off-site parking; Use of another building's required off-street parking for commercial and industrially zoned buildings*. No part of an off-street parking lot constructed on the same property as and utilized by an existing structure or building to satisfy the minimum parking requirements of this Section may be used as an off-site parking

lot for another commercial or industrially zoned property, unless the following conditions are met:

1. The periods of usage of such buildings or structures will not substantially overlap to create deficiencies in parking capacity on the off-street parking lot, such determination to be made by the planning and zoning board, or the size of the off-street parking lot is sufficient to accommodate the required parking spaces for both buildings or structures; and
2. The boundary of the property on which the off-street parking lot is located shall be not more than three hundred (300) feet from the boundary of the property desiring to utilize such parking lot as off-site parking; and
3. When off-site parking is allowed pursuant to this subsection and required to satisfy minimum parking standards under this Code, the owner shall submit to the city clerk a restrictive covenant or parking agreement in recordable form, reserving the parking lot for off-site use by another property consistent with this Section for as long as the parking shall be required. The form of the covenant or agreement shall be subject to review and approval by the city attorney.

b. *Exception for off-site parking; Stand-alone parking lots with no principal structure*. A stand-alone, off-site parking lot with no principal structure on the property may be constructed where permitted in the underlying zoning district, provided that the property boundary upon which the off-site parking lot will be located is within three hundred (300) feet of the property boundary upon which the principal building or structure utilizing the off-site, stand-alone parking lot is situated. Such distance shall be measured from the nearest boundary of the parking lot property to the nearest boundary of the property on which the principal building or structure is located. Stand-alone, off-site parking lots permitted under this exception are subject to the following additional conditions:

1. Stand-alone parking lots which will be used for regular business use (continuous, daily use), must be hard-surfaced or graveled with stone that is no smaller than a #57 stone in size. To the extent #57 stone is used, the surface shall be stabilized by turfblocks (concrete or plastic) or proprietary cellular or modular porous paving systems installed in accordance with manufacturers' specifications and all driveway aprons shall be concrete.

2. Stand-alone parking lots which will be used on an intermittent basis (occasional, non-daily use such as parking lots for places of worship or sporting arenas), may be hard-surfaced, graveled with stone that is no smaller than a #57 stone in size, or sodded. To the extent #57 stone is used, the surface shall be

stabilized by turfblocks (concrete or plastic) or proprietary cellular or modular porous paving systems installed in accordance with manufacturers' specifications. All driveway aprons shall be concrete.

3. All parking spaces required to be accessible for the principal building shall be provided on the property containing the principal building or structure in sufficient number as required by state law for such principal building or structure and may not be located in the off-site, stand-alone parking lot.

4. Stand-alone parking lots must have proper drainage in accordance with City Code.

5. All stand-alone parking lots shall be illuminated with such lighting arranged so as to reflect the light away from adjoining properties.

6. No advertising signs may be erected on the property containing the stand-alone parking lot.

7. The setback from the front property line for the stand-alone parking lot shall be the same as for the district in which such parking lot is located.

8. All stand-alone parking lots shall be effectively screened on each side, including the frontage, by a wall or fence and a densely planted hedge. Such wall, fence, and hedge shall be no less than five (5) feet in height and shall be maintained in good condition. Nothing in this subsection shall supersede streetscape requirements otherwise required by the City Code but, in all cases, a densely planted hedge shall be incorporated into such streetscape.

9. Where the stand-alone parking lot is constructed of asphalt, concrete, or another hardened surface, landscaped strips of at least six (6) feet in width shall be provided between parking aisles of either head-in or diagonal parking. In lieu of landscape strips, landscape islands may be provided. A minimum of one (1) tree shall be planted in each landscape island or one (1) tree every fifty (50) lineal feet.

10. Stand-alone parking lots shall not be used for paid short-term or long-term parking of vehicles unless otherwise permitted by the underlying zoning district.

11. When a stand-alone, off-site parking lot with no principal structure is utilized to satisfy minimum parking standards under this Code for another building or structure, both properties shall be required to be under common ownership. Further, through a development agreement and restrictive covenant, the owner shall restrict the off-site parking lot property solely for off-street parking use for the applicable building for as long as the parking shall be required, which may be enforced by the City by any lawful means,

including but not limited to, bringing charges before the City's code enforcement board or special magistrate and seeking injunctive and equitable relief.

* * *

(12) *Reserved.* ~~*Use of required off-street parking by another building.* No part of an off-street parking lot required for any building or use for the purpose of complying with the provisions of the sections of this Code, shall be included as a part of off-street parking area, similarly required for other buildings or uses, unless the type of structure indicates that the periods of usage of such structures will not be simultaneously used with each other, such determination to be made by the planning and zoning board; or unless the size of the off-street parking lot is sufficient to comply with the provisions of the sections of this Code.~~

(13) *Reserved.* ~~*Remote parking lots encumbered.* Where the provisions of the off-street parking for a building or other use established subsequent to the adoption of this section involves one (1) or more parcels or tracts of land that are not a part of the plat on which the principal use is situated, the applicant for a permit for the principal use shall submit with his application for a building permit an instrument duly executed and acknowledged, which subjects such parcels or tracts of land to parking uses in connection with the principal use for which it is available; provided, however, that such encumbrance shall only be effective for the period of time during which the certificate of occupancy is in effect for the particular use for which the building permit is issued. However, the new occupant must still meet the requirements for such new occupancy as provided by the sections of this Code. The applicant shall deposit the necessary recording fee and upon issuance of a building permit, the building official of the city shall cause such instrument to be recorded in the office of the clerk of the county circuit court. Such encumbrances shall be null and void and of no effect, if and when the city shall rescind or terminate off-street parking requirements for the building to be served by the encumbered lot, parcel or tract.~~

* * *

**Section 3.** **Amendment to Chapter 20, *Zoning*.** The City of Winter Springs Code of Ordinances, Chapter 20, *Zoning*, is hereby amended as follows:(underlined type indicates additions to the City Code and ~~strikeout~~ type indicates deletions, while asterisks (* * *) indicate a deletion from the Ordinance of text existing in Chapter 20. It is intended that the text in Chapter 20 denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to the adoption of this Ordinance):

**Chapter 20– ZONING**

* * *

## ARTICLE III. – ESTABLISHMENT OF DISTRICT REGULATIONS

* * *

### Division 7. – C-1 NEIGHBORHOOD COMMERCIAL DISTRICTS

* * *

**Sec. 20-232. – Uses permitted.**

Within C-1 Neighborhood Commercial District, no building, structure, land or water shall be used except for one (1) or more of the following uses:

* * *

(57) Parking garages; stand-alone parking lots which meet the requirements for off-site parking as set forth in Article IV, *Required Improvements*, Division 6, *Off-Street Parking and Loading*, of this Code, except that off-site parking lots shall not be used for paid, short-term or long-term parking uses.

* * *

**Section 4. Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts of prior ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 5. Incorporation Into Code.** This Ordinance shall be incorporated into the Winter Springs City Code and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the City Code may be freely made.

**Section 6. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**Section 7. Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Springs, Florida, and pursuant to City Charter.

**ADOPTED** by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the _____ day of _____, 2025.

_____
**Kevin McCann, Mayor**

**ATTEST:**

_____
**Christian Gowan, City Clerk**

**Approved as to legal form and sufficiency for the City of Winter Springs only:**

_____
**Anthony A. Garganese, City Attorney**

First Reading: _____
Legal Ad: _____
Second Reading: _____

# PUBLIC HEARINGS AGENDA ITEM 401

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY AGENDA | APRIL 3, 2025 REGULAR MEETING

## TITLE

Ordinance 2025-09: Town Center Corner Store with Gas

## SUMMARY

The Community Development Department has worked with the City Attorney's Office to draft proposed changes to Chapter 20, Zoning, to provide for consideration of a corner neighborhood convenience store with gas pumps in the Town Center District.

The City Attorney's Office drafted the proposed changes to Chapter 20 of the City Code. Staff is recommending that the Planning & Zoning Board hold a Public Hearing and recommend approval of Ordinance 2025-09 to the City Commission.

## FUNDING SOURCE

## RECOMMENDATION

Staff recommends that the Planning & Zoning Board hold a Public Hearing and recommend approval of Ordinance 2025-09 to the City Commission.

**ORDINANCE NO. 2025-09**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS, SEMINOLE COUNTY, FLORIDA; AMENDING SECTION 20-323 PERMITTED USES IN THE TOWN CENTER DISTRICT CODE REGARDING CORNER STORES OR NEIGHBORHOOD CONVENIENCE STORES WITH GAS PUMPS ON PROPERTIES WITH A T-5 TRANSECT DESIGNATION; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, INCORPORATION INTO THE CODE, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is granted the authority, under § 2(b), Art. VIII of the State Constitution, to exercise any power for municipal purposes, except when expressly prohibited by law, and the City's inherent police power to establish zoning regulations within the jurisdictional limits of the City of Winter Springs; and

**WHEREAS,** the Section 20-323 establishes the list of allowed uses within the Town Center District and a corner store or neighborhood convenience store without gas pumps is currently a permitted use on properties with a T3, T4 and T5 transect designation and a corner store or neighborhood convenience store with gas pumps is currently allowed by conditional use on properties with a T5 transect designation; and

**WHEREAS,** however, since the adoption of Ordinance No. 2001-13, the City Commission has determined that it is necessary for the City to establish zoning distance requirements for gasoline stations as more specifically set forth in Section 20-418 of the Winter Springs City Code; and

**WHEREAS,** the City Commission finds that modern trends in neighborhood corner convenience stores have evolved significantly to meet changing consumer preferences and such stores have become convenience hubs for enhanced and expanded grocery and retail offerings; alcohol, coffee and other beverages; prepared food services and seating; and fueling; and

**WHEREAS,** the City Commission finds that the current application of Section 20-418 restricts its ability to consider a corner neighborhood convenience store with gas pumps in the Town Center and has determined that a revision is necessary to allow the Commission to potentially consider a request for such a corner neighborhood store in the future; and

**WHEREAS,** the City's Land Planning Agency conducted a public hearing to consider this Ordinance on _____,2025, and after receiving testimony and evidence and deliberating about the merits of the Ordinance, made a recommendation to the City Commission; and

**WHEREAS,** the City Commission of the City of Winter Springs, Florida, hereby finds this ordinance to be in the best interests of the public health, safety, and welfare of the citizens of Winter Springs.

**NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF WINTER SPRINGS HEREBY ORDAINS, AS FOLLOWS:**

**Section 1.** **Recitals.** The foregoing recitals are hereby fully incorporated herein by reference as legislative findings of the City Commission of Winter Springs.

**Section 2.** **Code Amendment.** The City of Winter Springs Code of Ordinances, Section 20-323, is hereby amended as follows (underlined type indicates additions and ~~strikeout~~ type indicates deletions), while asterisks (* * *) indicate a deletion from this Ordinance of text existing in Section 20-323 including the table of listed uses. It is intended that the text in Section 20-323 including the table of listed uses denoted by the asterisks and set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance).

**Sec. 20-323. Permitted uses.**

| | T1 | T2 | T3 | T4 | T5 | C/P |
|---|---|---|---|---|---|---|
| | | | | | | |
| | * | * | * | * | * | * |
| Corner store or neighborhood convenience store without gas pumps | | | P | P | P | |
| Corner store or neighborhood convenience store with gas pumps | | | | | CU(1) | |
| * | * | * | * | * | * | * |
| | | | | | | |

(1) Notwithstanding Section 20-418 of the City Code regarding gasoline stations, a conditional use may be approved by the City Commission for an expanded neighborhood convenience store. The store must be between 4,000 to 5,000 square feet and primarily offer traditional convenience store items, including dairy, bakery, tobacco, beverages, grocery, health and beauty aids, newspapers and magazines, lottery sales as may be approved by the State, and confectionery. Additionally, it must feature expanded grocery products, fresh fruits and vegetables, significant fast or prepared food operations and seating, coffee bars or kiosks, and gasoline sales with no more than twelve (12) fueling positions. The store must also be located at the corner of an arterial road intersection.

**P—Permitted by right.**

**CU—Conditional use.**

***

**Section 3.** **Repeal of Prior Inconsistent Ordinances and Resolutions.** All prior inconsistent ordinances and resolutions adopted by the City Commission, or parts of prior

ordinances and resolutions in conflict herewith, are hereby repealed to the extent of the conflict.

**Section 4.** **Incorporation Into Code.** This Ordinance shall be incorporated into the Winter Springs City Code and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this Ordinance and the City Code may be freely made.

**Section 5.** **Severability.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 6.** **Effective Date.** This Ordinance shall become effective immediately upon adoption by the City Commission of the City of Winter Springs, Florida, and pursuant to the City Charter.

**ADOPTED** by the City Commission of the City of Winter Springs, Florida, in a regular meeting assembled on the _____ day of _____, 2025.

_____
**KEVIN McCANN, Mayor**

**ATTEST:**

_____
**CHRISTIAN GOWAN, City Clerk**

**APPROVED AS TO LEGAL FORM AND SUFFICIENCY FOR THE CITY OF WINTER SPRINGS ONLY.**

_____
**ANTHONY A. GARGANESE**
**City Attorney**

1st Legal Ad Published:_____
First Reading: _____
2nd Legal Ad Published: _____
Effective Date: _____