

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

**AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO ADOPT A NEW ZONING DISTRICT SECTION 58-83 OVERLAY DISTRICTS (OD); PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.**

**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 December 3, 2019, and has recommended approval of this Ordinance to the City Commission; and

**WHEREAS**, the City Commission of the City of Winter Park held a duly noticed public hearing on this Ordinance set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby finds the requested change consistent with the City of Winter Park Comprehensive Plan and that sufficient, competent, and substantial evidence supports the Land Development Code changes set forth hereunder; 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 III "Zoning" of the Code of Ordinances is hereby amended and modified by adopting Section 58-83 Overlay Districts (OD), as follows:

- (1) *Establishment of Overlay Districts.* The Winter Park City Commission may adopt overlay districts as needed in order to implement specific purposes, intents, and design standards based upon the adopted Land Use Master Plan for the area being regulated, which shall be applied as additional standards to other regulations required by the City. Such overlay districts shall be made a part of this section of the Land Development Code. Upon adoption, the boundaries of such overlay districts shall be shown on the Winter Park Zoning Map.
- (2) *Applicability.*
  - (a) All projects located within overlay districts shall adhere to the requirements of the Land Development Code, unless specifically addressed within the Overlay District language contained within this section.
  - (b) Where any Section of this code is found to be in conflict with other Sections of the Land Development Code, the regulations found herein shall apply and shall supersede any language found to be in conflict. Any



*b. Purpose.*

- (1) Encourage sustainable development and redevelopment that will become a long-term asset to Winter Park;
- (2) Create and enhance connectivity to the surrounding neighborhoods and promote connectivity to all of Winter Park;
- (3) Utilize and incentivize private development and/or redevelopment to create solutions for the existing problems that small properties and business-owners in the Orange Avenue area face;
- (4) Create public improvements that will benefit all residents and visitors of Winter Park;
- (5) Provide the opportunity for existing businesses and properties to improve their structures, their businesses and their building facades;
- (6) Restrict uses and create regulations that promote the development of the Orange Avenue area as a special place within Winter Park that promotes an environment of arts, healthy-living, cuisine, culture, heritage, social interaction, healthcare, local business, education, connectivity and community;
- (7) Create better connectivity to and the promotion of Mead Botanical Garden;
- (8) Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the Overlay that fall within the CRA boundary;
- (9) Protect and encourage development of an area that represents a significant opportunity for public and private investment, which is important to the long-term economic health of Winter Park;
- (10) Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
- (11) Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
- (12) Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
- (13) Encourage mixed-use development;
- (14) Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
- (15) Encourage architectural creativity, quality and variation to create a unique district with its own identity;
- (16) Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
- (17) Keep the traditional scale within the majority of the district;

- (18) Create an Arts & Cultural Corridor;
- (19) Protect and promote Historic architecture, where it exists in the area; and
- (20) Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area.

c. *Permitted Uses.* Any use not listed specifically as an allowed use herein shall be deemed to be prohibited in the Orange Avenue Overlay area. The following uses shall be allowed by-right on any property within the Orange Avenue Overlay District, unless otherwise specified within the subarea policies:

- (1) Antique Stores
- (2) Bars, taverns, cocktail lounges (with or without food sales)
- (3) Blueprinting, photocopying and printing offices
- (4) Boutique Hotel
- (5) Breweries/distilleries
- (6) Corner market, corner store (up to 5,000 square feet and excluding convenience store)
- (7) Financial institutions, including banks, savings and loan associations and credit unions (with a maximum of 2 drive-thru lanes, which are screened from view)
- (8) Fine arts museums, fine arts instruction, dance instruction and music instruction
- (9) Fitness facility, exercise or health club (up to 5,000 square feet)
- (10) Food Halls
- (11) Government services
- (12) Grocer (not including convenience store), up to 10,000 square feet.
- (13) Health and wellness studios (up to 5,000 square feet)
- (14) Mixed-Use Development
- (15) Nonprofit organization offices
- (16) Personal services (spa, barber shop, hair salon, nail salon, massage, cosmetic treatment)
- (17) Pet supply shop, pet grooming, pet daycare (provided that there shall be no outside kennels, pens or runs. No overnight or weekend boarding of animals)
- (18) Photography Studio
- (19) Professional offices (including medical and dental offices)
- (20) Recreational facilities up to 5,000 square feet

- (21) Residential uses such as condominiums, townhomes, apartments, lofts, studios. Excluding single-family detached homes;
- (22) Restaurants/Fast-Casual Dining/Fine-Dining
- (23) Retail businesses involving the sale of merchandise on the premises within enclosed buildings and excluding resale establishments or pawn shops (other than clothing resale stores)
- (24) Theater
- (25) Uses customarily incidental and accessory to the permitted uses, including the repair of goods of the types sold in stores are permitted. Such repair must be carried on within a completely enclosed building, may not be carried on as a separate business, and provided further that there shall be no manufacturing, assembling, compounding, processing or treatment of products other than that which is clearly incidental and essential to the permitted uses.

d. *Conditional Uses.* The following uses shall be allowed only with approval of a Conditional Use on any property within the Orange Avenue Overlay District, unless otherwise specified within subarea policies:

- (1) Fitness facility, exercise or health club over 5,000 square feet, but less than 10,000 square feet
- (2) Recreational facilities over 5,000 square feet, but less than 10,000 square feet
- (3) Buildings over 10,000 square feet in size.

e. *Prohibited Uses.* The following uses shall be prohibited in the Orange Avenue Overlay District:

- (1) Adult-oriented businesses
- (2) Automotive-related businesses (i.e. auto sales, auto repair, auto rental, body shops, auto wash, auto audio, auto glass, auto tinting, auto parts sales)
- (3) Dry-cleaning (including drop-off only)
- (4) Fast food (with or without drive-thru)
- (5) Gas stations/convenience stores
- (6) Liquor stores
- (7) Pawn shops/check cashing
- (8) Tattoo parlors
- (9) Vape/smoke shops

f. *Non-Conforming Uses.* Existing but non-conforming properties, which existed as of the date these regulations became effective, shall be allowed to continue in the same manner after the adoption of these

regulations. However, such nonconforming properties shall be subject to these regulations when the conditions below apply. When any change as identified below occurs, the property owner must demonstrate that the change to the property shall not significantly impair the safe and efficient flow of traffic within the subject area. The Planning Director or Building Official or their designee may require the property owner to provide a site-specific traffic study to determine the potential impacts of the proposed changes as part of the site development plan.

- (1) The principle use on the property is discontinued for a period of three (3) calendar months;
- (2) The structure is destroyed or significantly altered by sixty (60) percent or greater; or
- (3) Enlargements of existing structures are made to the property that increases the gross square footage.

*g. Single-Family Residential Uses within the Overlay District.* The Orange Avenue Overlay District shall not affect existing single-family residential uses, neighborhoods, or residential developments. Said uses may continue to exist in perpetuity. Protections of existing single-family residential uses shall be implemented where applicable.

*h. Landscaping Requirements.* Development and or redevelopment in the Orange Avenue Overlay District shall comply with all requirements of the Winter Park Land Development Code or future corridor landscape plans, unless specifically addressed within this chapter. The opportunity to add additional trees and the requirement of meaningful open space is discussed in later sections of this code.

*i. Architectural Standards.*

- (1) *Building Height & Setbacks/Stepbacks.* To allow for flexibility in design, but preserving development standards that will not create more massing than necessary, buildings shall be measured in stories. Only floors visible on the exterior of the building shall be counted towards building height (ex. A 4-story building wraps around a 5-story interior parking garage, only the 4 stories would count as they are the only part visible).

The first floor of any building shall be allowed to be a maximum of 20 feet in height. Mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-floor area and stay within the maximum 20-foot first floor height area. Mezzanines, balconies or lofts shall not be allowed above the first floor. Each floor above the first floor shall have a maximum height of 13 feet. Buildings shall be allowed to transfer unused floor heights to other floors, as long as the maximum cumulative height is not exceeded.

For multi-story buildings over two stories in height, some degree of terracing and/or additional setbacks to accomplish vertical articulation is mandated to create relief to the overall massing of the building facades, as discussed later in this chapter.

For any building over two stories in height that is located along Orlando Avenue or Fairbanks Avenue on the property line, each additional floor shall be setback a minimum of ten (10) feet, or shall be within the allowable envelope as depicted in the figures below:

Figure 1 – Allowable Building Envelope Cross-Section:

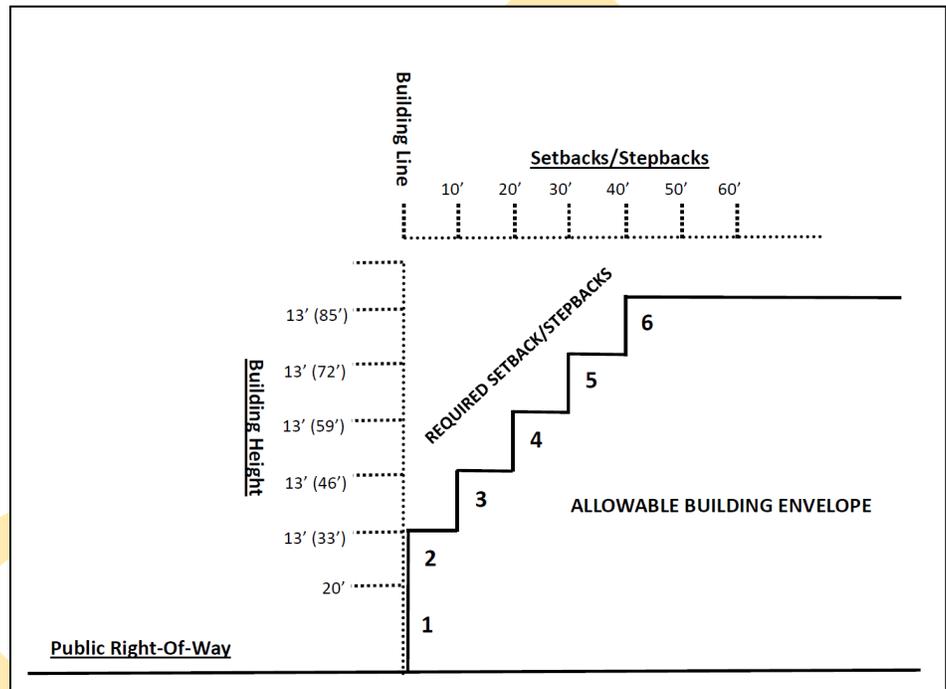


Figure 2 – Four Story Building Example:

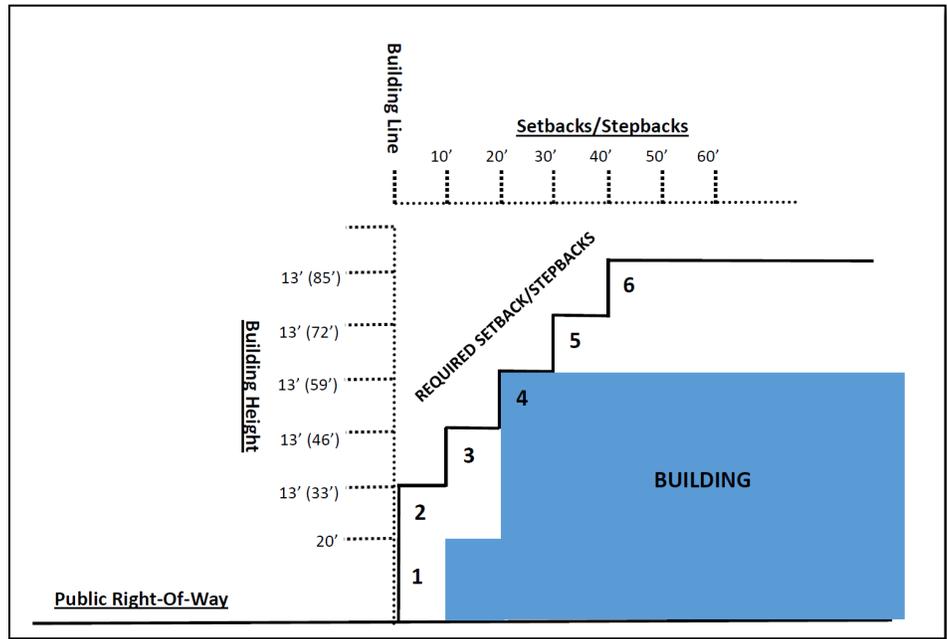


Figure 3 – Five Story Building Example:

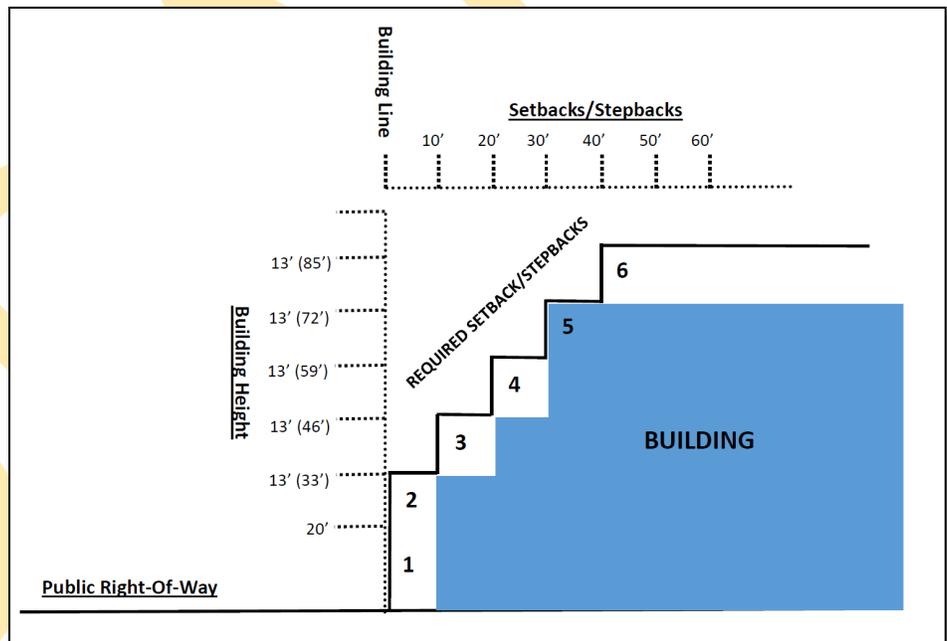
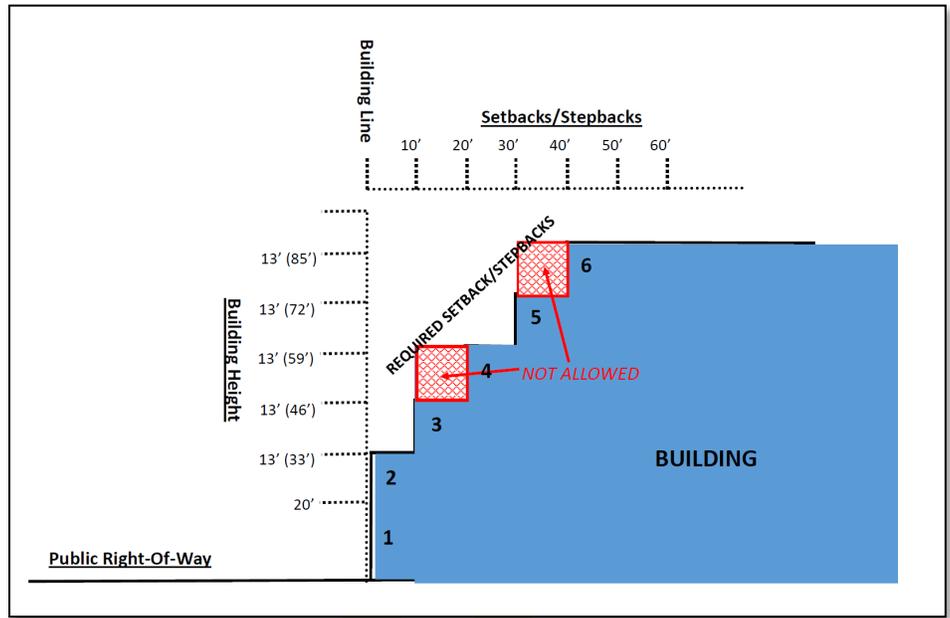


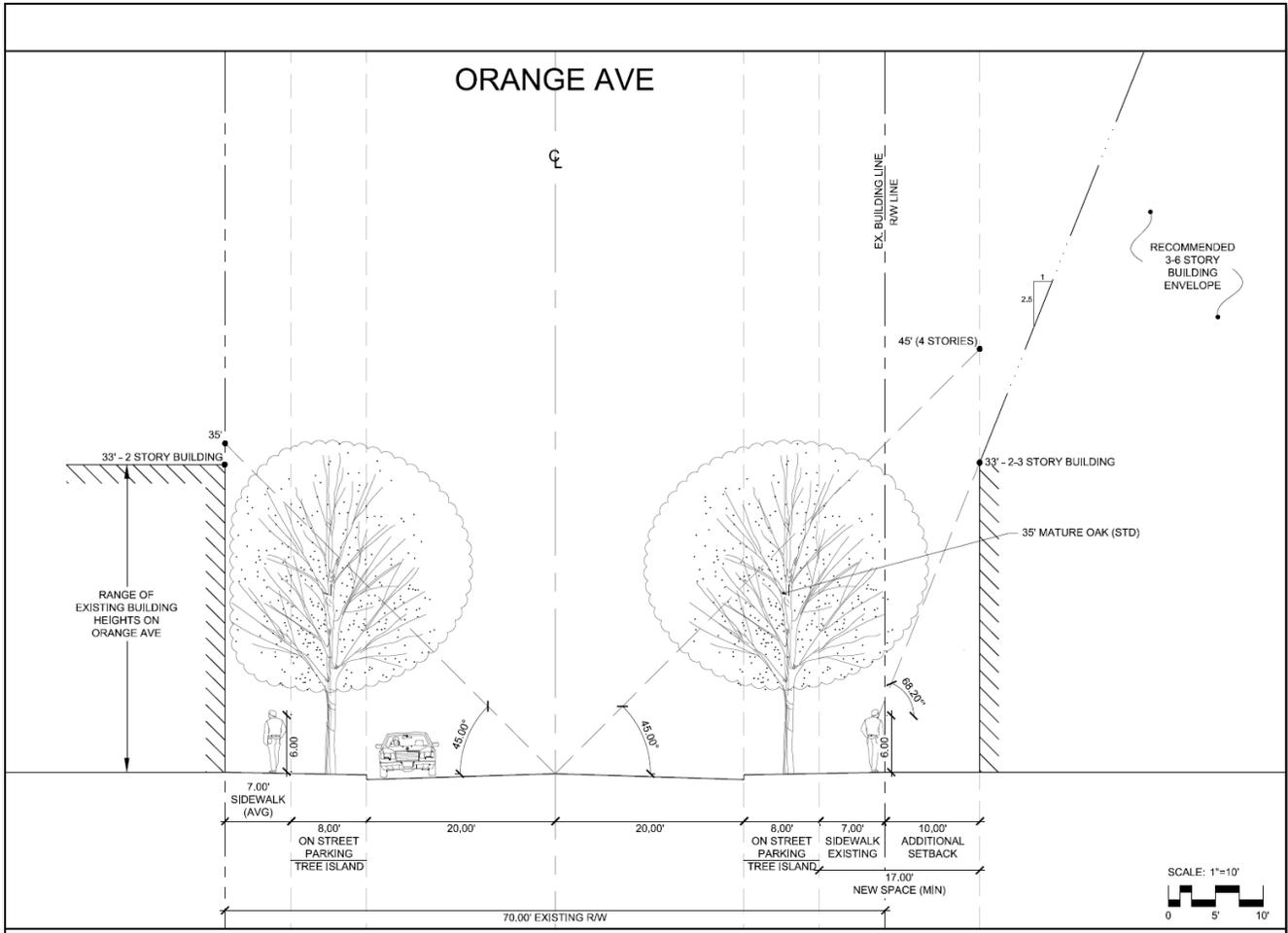
Figure 4 – Prohibited Building Example:



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For all properties not fronting on Orlando Ave or Fairbanks Avenue, the following cross-section shall depict the setback/stepback requirements:

Figure 5 – Typical Cross-Section:



If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as discussed later in this chapter. Additionally, the building shall not exceed more than three stories of vertical wall without a setback/stepback, cornice, balcony or other major façade breakup, which shall create visual and massing relief. All walls shall provide some sort of articulation, material or color change, window, balcony, terrace or other visual breakup of the building façade at least every 50 feet, both vertically and horizontally.

Each subarea may define additional required setbacks for that area that may differ from what is defined in this section. The defined building envelope depicted above shall be maintained, regardless of any setbacks.

Building setbacks/stepbacks as defined herein shall not be required along the railroad right-of-way. Along with the railroad right-of-way width, these properties are required to provide additional setback distance via the required construction of the rail trail, which also provides trees and landscape buffering. However, these rear facades shall provide some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet, both vertically and horizontally.

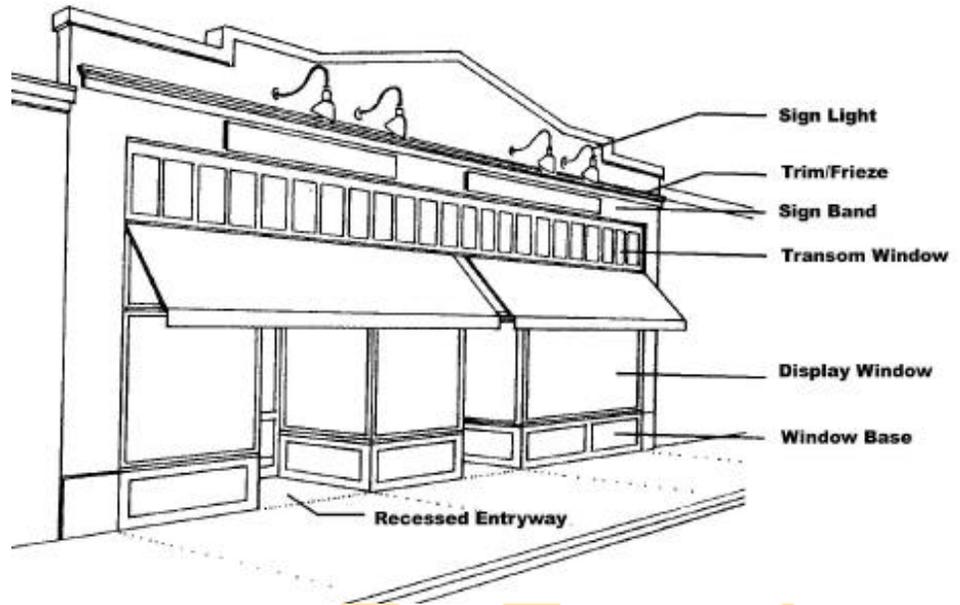
- (2) *Corner Treatment.* Properties fronting on a street corner shall recognize this special opportunity to provide architectural interest and special treatment at the corner location. These properties have two public facades, which gives the chance for special architectural treatment and detailing that will have the highest impact and visibility, at the corner location.
- (3) *Facades.* There shall be some sort of articulation, material or color change, window, entryway or other breakup of the building façade at least every 50 feet. Murals shall be allowed to contribute towards façade breakup.

The building façade should be constructed parallel to the street and are encouraged to be placed as close to the street as established setbacks permit, however it may be more appropriate for taller buildings to utilize greater setbacks/stepbacks, articulation or other architectural treatments to reduce visual massing. On low-rise buildings the different parts may be expressed through detailing at the building base and eave or cornice line.

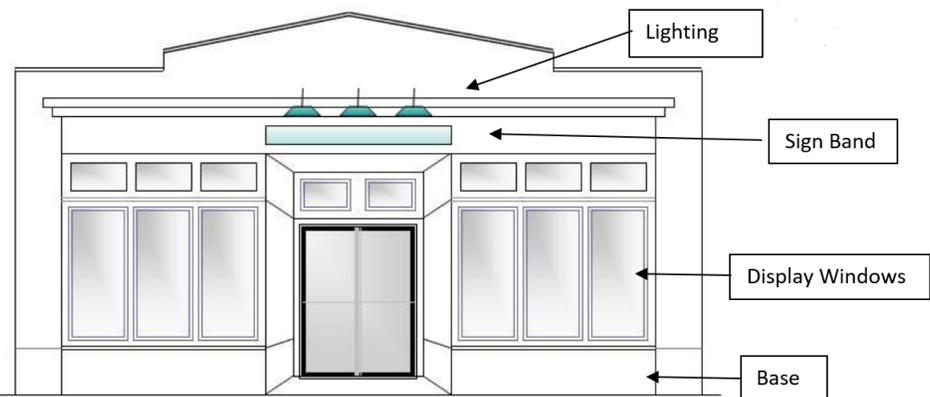
Commercial Façade Treatment Example 1:



### Commercial Façade Treatment Example 2:



### Commercial Façade Treatment Example 3:



- (4) *Additional Façade Treatment Requirements.* Roof lines, parapets and building heights shall be architecturally articulated and diverse in design form with adequately scaled and proportioned architectural treatments which complement the building's design.

The window, wall and roofing treatment should be of high-quality materials and consistent on both the front and the back of the building. Allowable building materials shall include brick, natural stone, glass, architectural metal, concrete, wood, or similar material with a longer life expectancy. Exterior Insulation and Finish System (EIFS) shall not be allowed. Stucco, hardboard siding (or similar materials) or concrete block shall not exceed more than 50% of any façade. Detailing is encouraged to enhance the façade.

Structures shall be sited so as to create visual relationships with sidewalks, street alignments, trees, green space and neighboring businesses; create visual anchors at entries, provide interesting architectural perspectives featuring appropriate facade treatments and maximize the pedestrian relationship to the sidewalk. They shall also take into consideration the existing structures and be in unison with their scale and style.

- (5) *Lower Story Requirements.* The lower story of the building has the most immediate visual impact on the passerby. Traditionally, buildings along urban streets have a high proportion of glazing to solid wall surface, with higher floor to floor heights, on the first story. To maintain continuity with this treatment, buildings on Orange Avenue shall have 25% minimum glass on the first story and shall be allowed height up to 20 feet. The first floor shall be clearly defined and articulated from upper stories.
- (6) *Building Entrance.* Primary building entrances in the Orange Avenue Overlay District shall be clearly defined, and shall be recessed or framed by a sheltering element such as an awning, arcade, overhang, or portico (in order to provide weather protection for pedestrians). Public entrances flush with the building wall with no cover are discouraged. Awnings are encouraged. Awning standards include:
  - (a) Awnings for a building façade shall be of compatible color, look, shape, and height;
  - (b) Awnings shall provide vertical clearance of no less than eight (8) feet above sidewalks; and
  - (c) Awnings are not allowed to hang over vehicular traffic ways.
- (7) *Building Setbacks along Orange Avenue.* It is the intent of this Chapter to enhance and preserve the character of the Orange Avenue Overlay District by promoting parking area placement to the rear of lots and bring visually pleasing building architecture closer to the to the street. Therefore, front building setbacks may be reduced to a distance that creates at least fifteen (15) feet of sidewalk space from the back of curb (not including the landscape bumpouts).
- (8) *Architectural Towers, Spires, Chimneys, Or Other Architectural Appendages.* Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to that district's height limit. However, when necessary to meet the building code requirements, chimneys may exceed the height by that minimum required distance.

If provided for within the respective nonresidential zoning district, architectural appendages, embellishments and other architectural features may be permitted to exceed the roof heights specified in

that section, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to eight feet of additional height upon approval of the city commission, based on a finding that said features are compatible with adjacent projects.

- (9) *Mechanical Penthouses, Rooftop Mechanical and Air-Conditioning Equipment, Stair Tower Enclosures, Elevators and Parapets.* Mechanical penthouses, mechanical and air-conditioning equipment, stair tower enclosures, or elevators on rooftops of buildings shall not exceed a total height of ten feet above the allowable building height. Any penthouses shall only be used for mechanical equipment to serve the building. Parapets, or mansard roofs serving as parapets, may extend a maximum of five feet above the height limit in the zoning district unless other parapet heights are more restrictive for the respective zoning district. In addition, mechanical equipment and air-conditioning equipment on rooftops shall be screened from view from ground level on all buildings in all zoning districts and shall be located to the maximum extent possible so that they are not visible from any street.

j. *Parking Requirements.*

- (1) *Off-Street Parking Requirements.* Unless specifically listed herein, parking shall be provided in accordance with the Land Development Code requirements.

(a) *General Business and Retail Commercial:* One parking space for each 333 square feet of gross floor space.

(b) *Office, Professional or Public Buildings:* One parking space for each 333 square feet of gross floor space.

(c) *Hotel:* One parking space for each guest room shall be provided. Other ancillary uses in the hotel (restaurant, spa, retail, meeting space, etc.) shall only be required to provide parking at 50% of the off-street parking requirements defined in Section 58-86.

(d) *Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges:* One space for every four seats.

(e) *Multi-family residential:*

(1) Each one-bedroom or studio unit shall be required to provide 1.25 dedicated parking spaces per unit.

(2) Each two-bedroom unit shall be required to provide 1.5 dedicated spaces per unit.

(3) Each three-bedroom or above unit shall be required to provide 2 dedicated parking spaces per unit.

- (2) *Off-street Parking Design.* Parking access to properties along Orange Avenue, Orlando Avenue and Fairbanks Avenue shall be from side streets if frontage is available on a side street. If side street frontage is not available, a driveway will be allowed from

Orange Avenue, Orlando Avenue, or Fairbanks Avenue, providing the driveway and building gap surrounding it is minimized. Throughout the Overlay District, cross-access agreements are required, to reduce the number of curb cuts and driveways. The intent is to maintain the building street wall without large voids for access driveways. The goal in this parking arrangement is to decrease the visibility of parking from the street as much as possible, by having parking behind the building and to reduce the turning movements with limited visibility across multiple lanes of traffic.

- (3) *Off-site Parking.* Required parking may be located within 750 feet of the building, or within the closest parking structure where excess parking is available for lease. In the event of new construction, addition, or change in intensity of use of the principal building or property being serviced by the remote parking lot, all existing parking spaces located on such remote lot shall be allocated to the existing building or principal use to meet the minimum requirements of this article, and any additional spaces may then be allocated to that portion of the building or property which is the subject of the new construction, addition, or change in intensity of use.
- (4) *Bicycle Parking Requirements.* Bicycle Parking shall be required per Land Development Code Standards. Where large projects provide parking garages, 20% of the required bike parking shall be provided onsite. The other 80% of required bike parking may be located within City right-of-way throughout the Overlay District. The City of Winter Park shall determine where the off-site parking shall be located.
- (5) *Parking Exclusion.* A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the Land Development Code or this chapter for any net new building or net new floor space created by redevelopment, new construction, additions, alterations, or remodeling or for any change in use requiring additional parking such as an office or retail space conversion to restaurant. Existing parking spaces may be counted to satisfy this requirement only where such existing spaces are in excess of the parking space requirements of this section for any existing floor space.
- (6) *Floor Area Ratio for Parking Structures.* Parking structures shall not count towards the floor area ratio (FAR) for any property within the overlay district, as long as all of the following conditions are met for each structure:
  - (a) Parking constructed shall allow for a minimum of 50% of the parking spaces to be shared-parking, meaning the parking spaces are available for lease for other properties in the area that can utilize the parking during hours when the parking is

not needed by the users of the property where the garage is located.

- (b) Provide for multi-property parking collectives. For smaller-scale garages, multiple property owners may create a collective where parking can be built on a property that can serve multiple properties that do not have adequate available parking.
- (c) Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
- (d) Provide and construct parking spaces at least 10% above what is required to meet code minimum requirements. This excess parking must either be available for lease to properties in the area or shall be provided for free public parking.
- (e) The available parking spaces (not leased or in use by the onsite businesses at the time) in the parking structures are made available to the general public for free on Saturday and/or Sunday mornings from 6:00 A.M. to 11:00 A.M. for community events in the Orange Avenue Overlay Area or for public events at Mead Botanical Garden.
- (f) Parking structures shall be screened at least 50% on all visible sides with green walls, living walls, murals (that do not include advertising of any type), shade trees or vegetative screening, or other screening treatments.

Parking provided to accommodate residential units or hotel guests shall not be required to be shared or count towards the shared parking ratio requirement.

Parking structures shall not be required to provide setbacks from residential areas as outlined in other areas of the Land Development Code, but shall meet height, building setback, allowable building envelope area and screening requirements as outlined in this code.

Parking garages shall be set back from the Orange Avenue, Fairbanks Avenue or Orlando Avenue frontages and screened by liner buildings or other treatments as required in this Chapter. Parking should also be accessed from side streets to the maximum extent. They should also be designed in an architectural style that is compatible with its building counterpart and shall also conform to the City's parking garage design guidelines.

Parking structures on the north side of Fairbanks Avenue or west of Orlando Avenue shall not be exempt from FAR.

Parking structures that do not provide the requirements listed above shall not be exempt from FAR calculations.

- k. *Public Notice Requirements.* City-wide notice shall not be required for any development within the Orange Avenue Overlay District. Requests that meet the criteria for city-wide notice, as defined in Section 58-89, within the Orange Avenue Overlay District shall be required to send notice to all properties within the Orange Avenue Overlay District and all properties within 1,000 feet of the boundary of the Overlay District. All Conditional Use requests within the Orange Avenue Overlay District shall be required to send public notice to all properties within 1,000 feet of the subject property, post signage on the property and publish notice in a newspaper of local circulation.
- l. *Meaningful Open Space Requirements.* It is the intent of the Orange Avenue Overlay District 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. Many of the existing properties do not have much opportunity for the creation of open space due to smaller size and other site constraints, so improvements to the rights-of-way and streetscape that create these spaces are very important. 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 at least 25% meaningful open space, which is open to and available to the public. At least 50% of open-space areas provided 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. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.
- m. *Signage Requirements.* Signage within the Orange Avenue Overlay District with frontage along Orange Avenue shall comply with the following requirements:
- (1) Each occupant shall be permitted a maximum of two signs indicating the business, commodities, service or other activity sold, offered or conducted on the premises. Where one occupancy has two signs, only the following combinations of sign types shall be permitted: One wall or canopy sign; one projecting sign and one wall or canopy sign; one canopy sign and one under-canopy sign. These signs shall also comply with the applicable provisions of Sections 58-125 through 58-128.

- (2) Projecting signs on properties or buildings within the Orange Avenue Overlay district shall be limited to an area of each face of 20 square feet and shall have a minimum clearance of seven feet.
- (3) The maximum copy area of canopy signs shall be two square feet per linear foot of canopy front and sides. These signs should also comply with applicable provisions of Section 58-128.
- (4) Signs attached to the underside of a canopy (under-canopy signs) shall have a copy area no greater than six square feet, with a maximum letter height of nine inches, subject to a minimum clearance of seven feet from the sidewalk.
- (5) Orange Avenue Overlay district properties may not have digital, electronic, and/or internally-illuminated signs, such as backlit plastic, acrylic or glass. Front lighting of signs is encouraged. External illumination must be provided by a light source that is installed to prevent direct light from shining onto the street or adjacent properties. Flashing or moving lights are not permitted. Backlit halo-type opaque sign lettering is permitted; however, the light color must be white or subdued and muted such as a pastel shade. Sign faces and sides may not be translucent and must be an opaque material such as metal or wood.
- (6) Ground signs or monument signs (excluding pole and pylon signs) are only permitted within the Subareas C, D, E, I, J and K. Ground signs within these subareas are limited to 30 square feet in size, and shall be located as to prevent interference with pedestrian and vehicular traffic. The design and location of such signs shall be subject to the approval of the Planning and Community Development director and/or Building Department director via a sign location and design plan to insure that the sign does not interfere with pedestrian traffic, parking or does not create excessive signage in one area.

n. *Sidewalk Design and Utilization.*

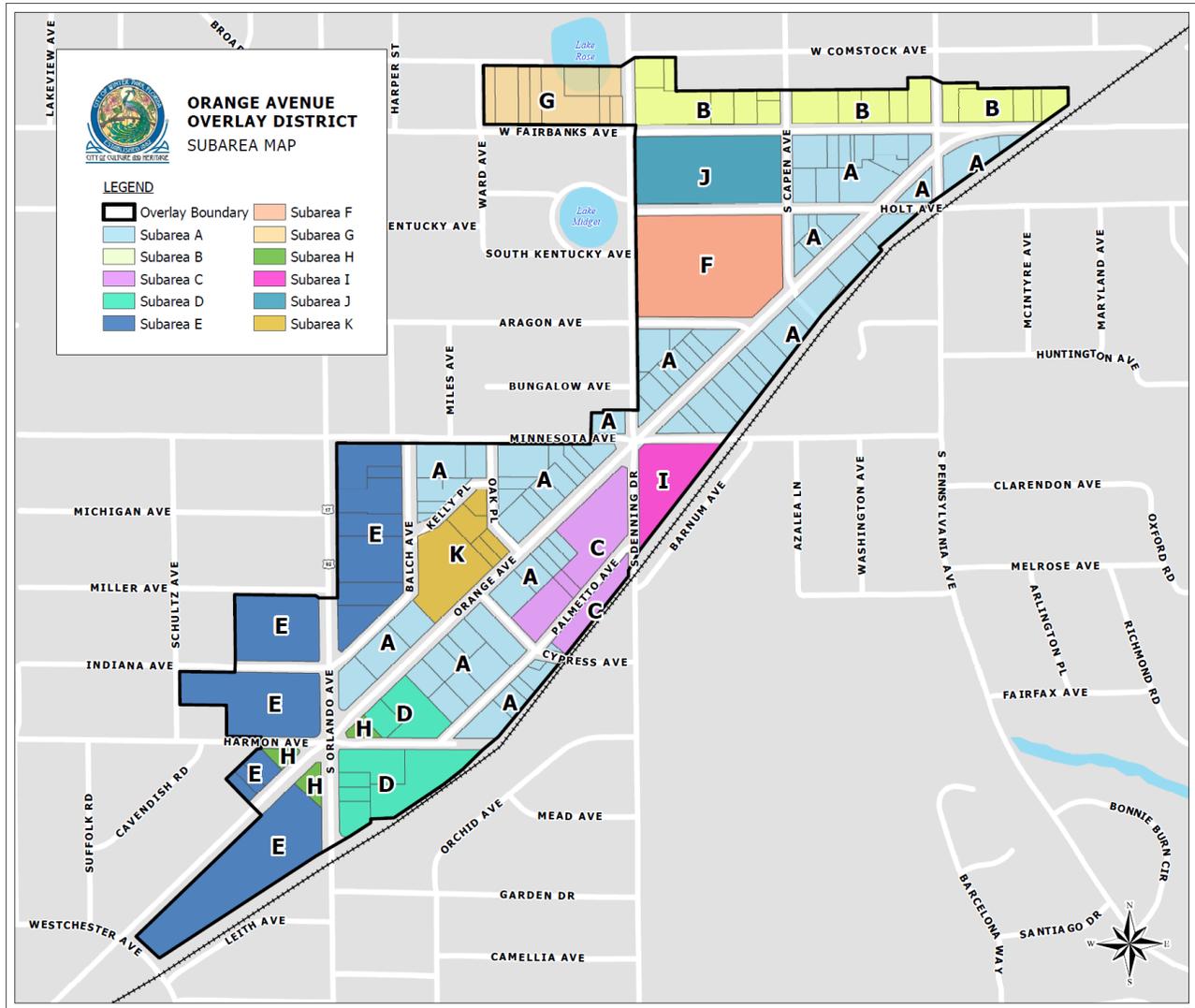
- (1) All buildings, parking areas, public spaces, amenity features, and adjoining developments of similar use shall be linked with sidewalks. Sidewalks shall be provided along public streets that provide access to the development. A minimum 15-foot sidewalk is to be provided along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall provide sidewalks at least ten feet wide with a minimum 2-foot landscape buffer along the back of curb, between the roadway and sidewalk. If sufficient right-of way is not available, the building may need to be set back to accommodate these wider sidewalks and the additional space required to create the required sidewalks as defined herein shall be dedicated to public access through easement. Sidewalks shall be constructed in accordance with the standards for sidewalks set forth in City of Winter Park Engineering Standards.

(2) Restaurants and cafes with seating within the public right-of-way shall be subject to the regulations contained in Chapter 90, Article VI - Sidewalk Cafes, of the Winter Park code of Ordinances.

- o. *Display of Merchandise Outside of Commercial Buildings.* Only within the Orange Avenue Overlay District with frontages along Orange Avenue are allowed one display of merchandise to be located outside of a commercial business exclusive of beautification elements such as plants (that are not for sale). This display must be placed within two feet of the front wall or window of the building. This display must not block or impede pedestrian traffic or be placed on the public sidewalk and at least six feet of clear sidewalk width must remain for pedestrian traffic. This display must be no more than six feet in height and no more than two feet in width. The display must be safely secured and removed under windy conditions. The display must be removed when the business is not open. An outside display is not permitted if the business chooses to place an outdoor portable sign.

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p. *Orange Avenue Overlay District Subareas and Standards for Development.* The subarea map depicted below shall officially delineate the different subareas and their specific development standards. Each area has unique characteristics, issues and opportunities.



Due to the unique geography of the Orange Avenue corridor and the Orange Avenue Overlay District, it was determined that a number of areas with very unique issues and opportunities existed. After much consideration, a number of subareas were created to help the existing businesses in the area, create more economic opportunity, address issues that have plagued the area for many years, create a meaningful gateway into Winter Park and to create a special place in the community. Because each of these areas are unique, they each have their own development standards and opportunities.

After the creation of the Orange Avenue Overlay District, no changes to the subarea map shall be allowed. No variances to maximum number of stories, maximum allowable Floor Area Ratio, allowed uses,

required open space or maximum residential density shall be granted. Variances to other development standards shall be considered, with sufficient showing of reasoning and hardship, as outlined in Section 58-92.

The standards detailed in this plan are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum bulk standards are not an entitlement and are not achievable in all situations. Many factors may limit the achievable FAR including limitations imposed by the maximum height, physical limitations imposed by property dimensions and natural features as well as compliance with applicable code requirements such as, but not limited to parking, setbacks, lot coverage and design standards.

Subareas C, D, I & J shall contain at least 25% Mixed-Use, ensuring that no single-user developments occur that may not create the vibrant mixed-use district that is desired.

- (1) *Subarea A.* In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the Orange Avenue Overlay District, these properties shall not be required to comply with current Land Development Code standards, as long as additional square footage is not added to the buildings. If additional square footage is added, the properties shall be required only to provide the required parking for the new net square footage of the property. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming with Land Development Code standards, shall still be required to meet applicable Building and life safety codes as determined by the City of Winter Park Building Official and/or Fire Official. If the use of the building is changed (i.e. office conversion to café), parking shall be provided as required by Code.
  - (a) *Exemptions.* The following Land Development Code Requirements shall not be required to be met for renovation or remodel of existing structures that will maintain the existing use of the property:
    1. Floor Area Ratio
    2. Minimum Parking Requirements
    3. Stormwater Retention
    4. Impervious Surface Percentage
    5. Setbacks
    6. Landscaping
    7. Height
  - (b) *Reconstruction of Buildings.* Given the age of buildings within the area, the properties within this subarea shall be allowed to reconstruct the same building footprint when the building on the site is completely demolished, regardless of non-conforming status, on the site without being required

to meet all development standards. Reconstruction of buildings shall only be required to provide stormwater retention and the sidewalk widths as described herein. All building and life safety codes shall be met with all reconstruction.

(c) *Subarea A Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 65%
3. Maximum Height: 2 Stories for any properties abutting Orange Avenue, and 3 stories for all other properties within the subarea.
4. Maximum Impervious Coverage: 85%
5. Setbacks: None, except front setbacks must allow for at least a 15-foot wide sidewalk along Orange Avenue. Fairbanks Avenue and Orlando Avenue shall each be designed to provide for a 10-foot wide sidewalk with a minimum 2-foot landscape buffer on the back of curb. Where the building requires an additional setback to achieve the required sidewalk, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: 17 units per acre

(2) *Subarea B.*

(a) *Subarea B Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 60%
3. Maximum Height: 2 stories at front setback line and at rear setback line. Structures may increase to 3 stories if the 3<sup>rd</sup> floor is set back an additional 10 feet from front and rear setback lines. 3<sup>rd</sup> floors shall only allow residential uses.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
  - a. Street: None, except front setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Fairbanks Avenue.
  - b. Side: 0
  - c. Rear: 20
  - d. Third stories shall require an additional 10-foot setback from the front and rear setbacks.
6. Maximum Residential Density: 17 units per acre

- (b) *Additional Development Regulations.* For properties within this area with an underlying zoning of single-family residential, these properties shall only be used for residential use or open space.

(3) Subarea C.

(a) *Subarea C Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 125%
3. Maximum Height: 4 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: 0 front setback along Orange Avenue, Denning Drive, or Palmetto Avenue, except front setbacks must allow for at least a 15-foot wide sidewalk. Where the building requires an additional setback to achieve a 15-foot sidewalk, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: 17 units per acre

(b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.1

(c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement shall apply. Where the property lines meet at the intersection of Denning Drive and Orange Avenue shall create the starting point for this additional setback. From the starting point, going 150 feet back along Orange Avenue and along Denning Drive and connecting these two points, the additional viewshed and setback triangle shall be established.

(d) *Road Closures.* Closing and vacation of the Palmetto Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street bisects the property and creates limited development opportunities of the site. Driveways that allow public through-access may be allowed in-lieu of vacated streets, if deemed necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

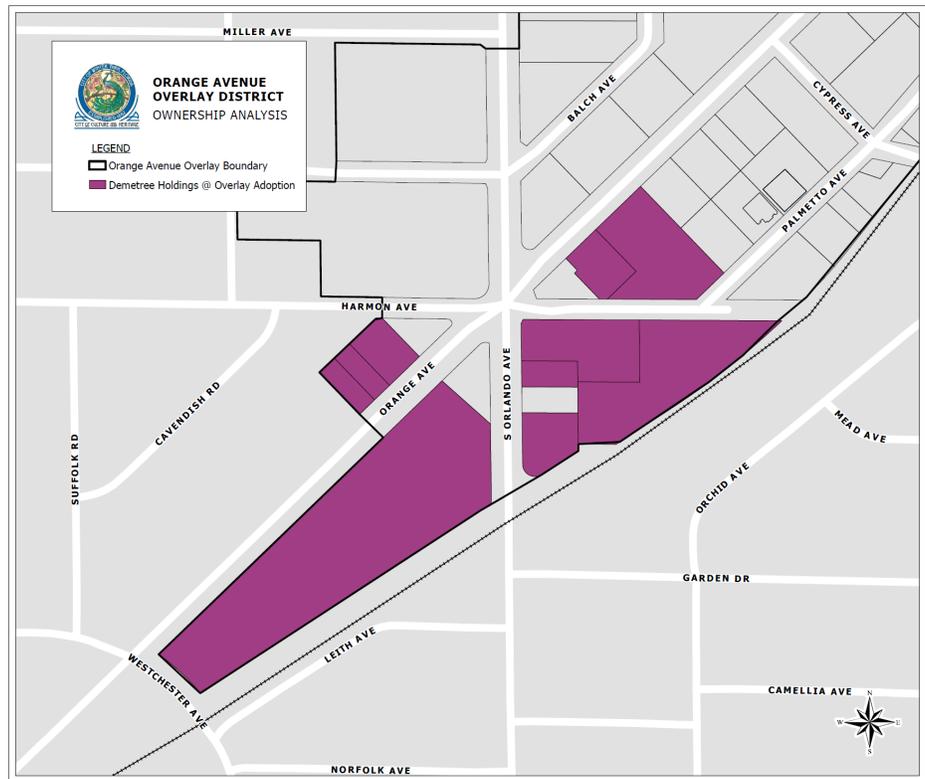
(e) *Additional Development Requirements.* A monument sign at least 3 feet in height and 5 feet in width, set in a landscaped bed, shall be required to be provided at the intersection of Denning Drive, Minnesota Drive and Orange Avenue, which directs the public to Mead Botanical Garden. The City of Winter Park shall approve the design and location of the sign.

(4) Subarea D.

(a) *Subarea D Development Standards:*

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 7 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks:
  - a. Street: 20 feet along Orlando Ave, 0 feet along Orange Avenue
  - b. Rear: 20
6. Maximum Residential Density: 17 units per acre

- (b) *Density Transfer.* Properties under common ownership within the Overlay area at the time of the adoption of this code or vacated rights-of-way shall be allowed to transfer the existing residential entitlements to this subarea D, though not the square footage. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units. Additional properties purchased after the date of the adoption of this Overlay District shall not be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the Orange Avenue Overlay area. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this subarea that qualify for this density transfer.



(c) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.1

(d) *Road Closures.* Closing and vacation of the Harmon Avenue or Vivian Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street bisects the property or creates limited development of the site. Private driveways that allow public through-access shall be allowed in-lieu of vacated streets, if necessary. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(5) Subarea E.

(a) *Subarea E Development Standards.*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%
3. Maximum Height: Maximum 4 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
  - a. Street: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue.
  - b. Side: 5 feet

c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.

6. Maximum Residential Density: 17 units per acre

(b) *Road Closures.* Closing and vacation of the Vivian Avenue right-of-way shall be encouraged, subject to City Commission approval, as the street essentially serves as a private driveway and parking lot extension for a single property. Driveways that allow public through-access shall be allowed in-lieu of vacated streets. Closed and vacated right-of-way shall be entitled at the same level as the subarea it falls within.

(6) Subarea F.

(a) *Subarea F Development Standards:*

1. Base Floor Area Ratio: 20%
2. Maximum Achievable Floor Area Ratio: 20%
3. Maximum Height: 2 Stories
4. Maximum Impervious Coverage: 50%
5. Setbacks: None, except street setbacks must allow for at least a 15-foot wide sidewalk. Where the building requires an additional setback to achieve a 15-foot sidewalk, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: No Residential Uses Allowed

(7) Subarea G.

(a) *Subarea G Development Standards:*

1. Base Floor Area Ratio: 45%
2. Maximum Achievable Floor Area Ratio: 45%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 85%
5. Setbacks: None, except front setbacks must allow for at least a 10-foot wide sidewalk.
6. Maximum Residential Density: 17 Units/Acre

(b) *Additional Development Requirements.* It is the intent of the City of Winter Park to acquire these properties for the extension of Martin Luther King, Jr. Park and to provide for transportation improvements. Any properties acquired by the City of Winter Park shall be dedicated as parkland or towards transportation improvements.

(8) Subarea H.

(a) *Subarea H Development Standards:*

1. Base Floor Area Ratio: 0%
2. Maximum Achievable Floor Area Ratio: 0%
3. Maximum Height: N/A
4. Maximum Impervious Coverage: N/A
5. Setbacks: N/A
6. Maximum Residential Density: N/A

(9) Subarea I.

(a) *Subarea I Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 125%
3. Maximum Height: 3 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 0 front setback, except front setbacks must allow for at least a 15-foot wide sidewalk. Where the building requires an additional setback to achieve a 15-foot sidewalk, the area shall be dedicated as a public access easement.
6. Maximum Residential Density: 17 units per acre

- (b) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.

- (c) *Intersection and Open Space Viewshed.* Due to the unique shape of the property and proximity to a unique intersection, this additional requirement shall apply. Where the property lines meet at the intersection of Denning Drive and Minnesota Avenue shall create the starting point for this additional setback. From the starting point, going 50 feet back along Minnesota Avenue and along Denning Drive and connecting these 2 points, the additional viewshed and setback triangle shall be established.

(10) Subarea J.

(a) *Subarea J Development Standards:*

1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 5 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 0 Streetside. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area at the back of curb along all adjacent streets.

6. Maximum Residential Density: 17 units per acre

- (b) *Required Development Enhancements:* In order to be eligible for any Development Enhancement Bonuses, any future development of the property shall include the following item(s) from the Development Enhancement Menu: CT.7. The City of Winter Park shall determine the area required to be dedicated for intersection improvements.
- (c) *Road Closures.* Closing and Vacation of either the South Capen Avenue or Holt Avenue rights-of-way shall be encouraged, subject to City Commission approval, given that these roads are not heavily trafficked and mainly serve only the subject property in this area. If these streets are closed, they shall remain open to the public and be used only for pedestrian or bicycle access, and may not be used towards open space requirements for the adjacent properties.
- (d) *Density Transfer.* Additionally, properties under common ownership within the Overlay area at the time of the adoption of this code or vacated rights-of-way shall be allowed to transfer the existing residential entitlements to this subarea J, though not the square footage. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units. Additional properties purchased after the date of the adoption of this Overlay District shall not be eligible for density transfer. The intent is to create nodes of intensity, allowing for residential uses, which are key to the successful creation of mixed-use districts and create development that can fund the needed parking and regional stormwater areas in the district. By clustering the intensity, there will be a reduction in overall massing and building heights throughout the Orange Avenue Overlay area. The map below depicts the properties within this subarea that qualify for this density transfer. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea. This language shall not allow transfer of units into other Subareas.



(11) Subarea K.

(a) *Subarea K Development Standards:*

1. Base Floor Area Ratio: 60%
2. Maximum Achievable Floor Area Ratio: 80%
3. Maximum Height: Maximum 3 Stories.
4. Maximum Impervious Coverage: 85%
5. Setbacks:
  - a. 0 front setback along Orange Avenue, except front setbacks must allow for at least a 15-foot wide sidewalk. Where the building requires an additional setback to achieve a 15-foot sidewalk, the area shall be dedicated as a public access easement.
  - b. Side: 5 feet
  - c. Rear: 20 feet. If abutting residential, shall be a minimum of 20 feet or equal to building height, whichever is greater.
6. Maximum Residential Density: 17 units per acre

q. *Orange Avenue Overlay District Development Enhancements.* Enhanced development entitlements shall be considered for the Orange Avenue Overlay District, but should be earned, rather than simply given to the properties in the area.

(1) *Percentage-Based Development Enhancement Menu.* A percentage-based upgrade system for properties within the Orange Avenue Overlay District to earn additional development

entitlements (FAR) to be able to get to their maximum achievable FAR by providing certain public improvements and area-wide solutions is shown below.

Property owners or developers may use any combination of the Development Enhancement Menu to earn their way up to the Maximum Achievable Floor Area Ratio. Certain subareas shall require certain Enhancements to be met.

The following Orange Avenue Overlay District Development Enhancement Menu was created to address the wide-ranging issues affecting the Orange Avenue area, while meeting the goals of the Comprehensive Plan, the Vision Winter Park plan and the Winter Park Sustainability Plan. To ensure that the intent of the Development Enhancement Menu is met, any project that utilizes this menu shall be reviewed by the Planning & Community Development Director or his/her designee.

**Table 1: Orange Avenue Overlay District Development Enhancement Menu – Sustainability Category**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
S.1	<i>Shared Electric Vehicle On-Site</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
S.2	<i>Green Roof</i>	At least 50% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.	10%	10%
S.3	<i>Renewable Energy</i>	For Each Percentage of the Total Electricity Used On the Property That Is Generated Onsite, a 1% Entitlement Increase Shall Be Granted.	10%	10%
S.4	<i>Recycling</i>	Recycling Receptacles provided for each use on the site building and large collection receptacle placed in the dumpster area of the site.	2%	2%
S.5	<i>Rainwater Reuse</i>	At least 75% of rain water from the roofs of structures is captured and recycled for landscape irrigation.	5%	5%

**Table 2: Orange Avenue Overlay District Development Enhancement Menu – Infrastructure & Stormwater Category**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
IS.1	<i>Stormwater Retention Beyond Code Minimum Requirements</i>	Each 1% of additional water quality treatment and stormwater retention capacity, beyond what is required to accommodate development of a site provided (that can feasibly receive off-site stormwater) shall earn a 1% entitlement bonus. The calculation shall be based on the retention required on the site to meet City and St. Johns requirements. Vaulting, Underground Storage or Raingarden Areas Shall Be Allowed.	Max 25% Entitlements Bonus	25%

**Table 3: Orange Avenue Overlay District Development Enhancement Menu – Arts & Culture Category**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
AC.1	Public Art	Each Public Art Installation Shall Earn 1% Entitlement Bonus	Max 5 Locations	5%
AC.2	Gateway Feature	Creation of signage, art or other type of gateway feature that welcomes people to Winter Park.	5%	5%
AC.3	Space For Non-Profit Arts & Cultural Organizations	For each 1,000 square feet of space that is built specifically and solely for non-profit arts and cultural facilities, a 1% entitlement bonus shall be granted. The space provided for these non-profit users shall not count towards the FAR of the site. The space shall only be rented to Arts & Cultural organizations with non-profit 501.C.3 status, in perpetuity. Parking shall also be provided and shared parking is encouraged. The rents charged shall not exceed 80% of the median rents charged for similar properties in the area. The rents shall not increase more than 3% per year.	Max 15% Entitlement Bonus	15%

**Table 4: Orange Avenue Overlay District Development Enhancement Menu – Parking Category**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
P.1	Public Parking	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
P.2	Screening of Parking Structures	At least 50% of the total surface area of the principal building's roof is a green roof constructed in accordance with ASTM green building standards.	10%	10%

**Table 5: Orange Avenue Overlay District Development Enhancement Menu – Miscellaneous Category**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
M.1	5G Small Cell Facilities Placed On Building	Each 5G Small Cell Placement on Structure Earns 1% Entitlement Bonus	Max 5 Locations	5%
M.2	Workforce Housing Provided	Each Unit Provided at Orange County Affordable Housing Standards Shall Earn a 0.5% Entitlement Increase	Max 20 Units	10%

**Table 6: Orange Avenue Overlay District Development Enhancement Menu – Meaningful Open Space Category**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.1	Open Space Beyond Minimums	Each 1/4 acre (10,890 square feet) of additional dedicated open space available to the public beyond the required minimum shall earn a 5% Entitlement Bonus, or 20% per acre	20%	20%
OS.2	Shade Tree Planting	Each 50-inches of Shade Tree Caliper Planted Onsite Beyond Minimum Requirements Shall Earn 1% Entitlement Bonus. Species Shall Be City Arborist Approved and Planted with Irrigation. A minimum 5" caliper tree shall be required.	Max 500-Inch Tree Caliper Bonus	10%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
OS.3	<i>Tree Fund Donation</i>	Payment may be made into the City of Winter Park Tree Replacement Trust Fund, so that meaningful trees can be planted throughout the City to maintain and grow our tree canopy. For each donation of \$8,000 to the Tree Replacement Trust Fund, a 1% Entitlement Increase Shall Be Granted.	Maximum \$40,000 Donation	5%
OS.4	<i>Mead Garden Improvements</i>	Donation to Mead Botanical Garden Improvements/Restoration/Enhancements Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. The Funds Shall Only Be Used For Capital Improvements or Enhancements in Mead Botanical Garden	Max \$100,000.00 Donation	10%
OS.5	<i>Donation of Land for Parks</i>	For each 5,000 square feet of land donated to the City of Winter Park for park space (which is accepted by the City Commission as meaningful and useful park land), shall earn an additional 1% Entitlement Increase.	Maximum 20%	20%
OS.6	<i>Martin Luther King, Jr. Park Expansion</i>	Donation to the City of Winter Park, Park Acquisition Fund Shall Earn a 1% Entitlement Increase for Each \$10,000 Donation. Funds Shall Only Be Used for the Acquisition of Additional Park Land. The Funds Shall Only Be Used For the Acquisition of the Area Identified as Subarea "G" herein, to expand Martin Luther King, Jr. Park.	Max \$100,000.00 Donation	10%
OS.7	<i>Social Connection Amenities</i>	Provide amenities, that support community interaction and are open to the general public, creating third places:	Max Based on Type	–
		Yard games (life-size chess/checkers, bocce ball, bean-bag toss, walking labyrinth)		3 earns 1%
		Multi-Generational Play Areas		3%
		Fountain/splash pad/water feature		3%
		Stage areas for music/art performance		2%
		Dedicated Standalone Public Restrooms (not a part of a business onsite)		2%
		Public seating/gathering spaces of significant size (street furniture, seating walls, outdoor furniture, fire pits)		2%

**Table 7: Orange Avenue Overlay District Development Enhancement Menu – Connectivity & Transportation Category**

<b>Category Number</b>	<b>Enhancement</b>	<b>Description &amp; Potential Bonus</b>	<b>Enhancement Achievement Maximums</b>	<b>Maximum FAR Increase</b>
<b>CT.1</b>	<i>Rail-Trail Construction &amp; Easement</i>	Option A - Provide Dedicated Utility & Public Access Easement of a Minimum of 20 feet and Construction of Rail-Trail with a 12-foot Trail Width and 4-foot plating strip along each side, earns 1% Entitlement Bonus for each 50 linear feet of trail, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree of minimum 5" caliper (as selected by Urban Forestry) with irrigation for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations.	Max 20%	20%
		Option B - Provide Dedicated Utility & Public Access Easement of a Minimum of 23 feet and Construction of Rail-Trail with a 15-foot Trail Width and 4-foot plating strip along each side, earns 1% Entitlement Bonus, with decorative light pole (as selected by City of Winter Park to match other areas of town) & shade or understory tree (as selected by Urban Forestry) for every 50 feet of railroad frontage. The trail and easement shall connect from the property line where the rail enters, to the property line where the rail exits. The trail shall be designed to align with existing or future trail locations.	Max 25%	25%
<b>CT.2</b>	<i>Off-Site Trails</i>	Donation to the Construction of Bike/Pedestrian Trails. Due to the unique circumstances and properties in each area, every section of future trail will have challenges and opportunities. Because no two areas are the same, it is preferable to have developers pay into a trails fund, with design and installation provided by the City. Each \$10,000 donation shall earn a 1% entitlement bonus.	Max \$100,000 donation	10%
<b>CT.3</b>	<i>Denning Drive Mobility Extension</i>	Complete Extension of Denning Drive from Orange Ave to Mead Botanical Garden, Minimum 12' Wide Multi-Use Paved Path With Decorative Lighting, and Shade Tree in Grate with Irrigation Every 50 feet, with Required ADA Crossings & Signage on E side of Denning Drive	25%	25%
<b>CT.4</b>	<i>Rideshare Dedicated Curb</i>	Each 24 feet of marked and dedicated rideshare curb in front of the building shall earn a 0.5% Entitlement Bonus	2 Dedicated Spaces	1%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
CT.5	<i>Bicycle/Pedestrian Repair Facilities &amp; Rest Areas</i>	Provide bicycle/pedestrian amenities that are available to the community near any Bike Trail facility. One of each of these facilities shall be allowed to locate in one or more of the following locations: Rail Trail area as defined in this chapter, In Martin Luther King, Jr. Park along a bike trail, Along the new Bike Path connecting to Mead Botanical Garden, or along the Denning Drive bicycle facilities. Each location shall require the following elements under a covered roof or shade area: Bicycle Fix-It Stations with bike lift, air pump and tools; water fountain and water bottle filling; bike rack; trash and recycling receptacles; and a bench.	2% per location, Max 3 locations per development. Can be located off-site	6%
CT.6	<i>Covered Transit Stops</i>	Bench, Trash Receptacle, Recycling Receptacle and Covered Area Provided for Transit Users At a Stop on a Bus Route	1%	1%
CT.7	<i>Land Donation for Transportation Improvements</i>	Each 100 square feet of land dedicated to the City of Winter Park or FDOT as right-of-way for needed transportation improvements, shall earn a 1% Entitlement Bonus	Max 25%	25%

r. *Definitions.*

- (a) *Affordable Housing:* Affordable housing means a dwelling unit, with regard to a unit for sale, which costs less than 80 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 80 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area and for which the purchaser's or renter's income or combined family income does not exceed 80 percent of the median family income for the Orlando metropolitan area.
- (b) *Boutique Hotel:* A boutique hotel is largely characterized by its smaller size, personalized service and local personality, which can vary dramatically depending on where the property is located. They cater to the individual, providing very personalized, intimate service. These properties are designed to blend into the community and reflect the neighborhoods and cultures around them.
- (c) *Building Story:* Building story means a section of a building between the surface of a floor and the floorplate of the floor above it.
- (d) *Density Transfer:* The ability to transfer density entitlements from one property to another. The property has to be commonly owned. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units.

- (e) *EIFS*: Exterior Insulation and Finish System. A non-load bearing exterior wall cladding system consisting of a thermal insulation board, adhesively and/ or mechanically attached to the substrate, base coat with reinforced fiberglass mesh and a textured finish coat.
- (f) *Fast Casual Restaurant*: Fast casual restaurants offer consumers freshly-prepared, higher-quality food in an informal setting, with counter service to keep things speedy.
- (g) *Floor Area Ratio (FAR)*: The gross floor area divided by the land area of the building site excluding land areas across a public street under the same ownership. The gross floor area ratio is the square footage of the building or buildings on the property (and contiguous properties being used in connection with such building(s)) divided by the area of such property in square feet. This mathematical expression (gross floor area ÷ land area = floor area ratio) shall determine the maximum building size permitted.
- (h) *Food Hall*: Unlike food courts made up of fast food chains, food halls typically mix local artisan restaurants, butcher shops and other food-oriented boutiques under one roof.
- (i) *Green Roof*: A green roof or living roof is a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. Green roofs serve several purposes for a building, such as absorbing rainwater, providing insulation, creating a habitat for wildlife, increasing benevolence and decreasing stress of the people around the roof by providing a more aesthetically pleasing landscape, and helping to lower urban air temperatures and mitigate the heat island effect.
- (j) *Green Wall/Living Wall*: Living walls or green walls are self-sufficient vertical gardens that are attached to the exterior or interior of a building. They differ from green façades (e.g. ivy walls) in that the plants root in a structural support which is fastened to the wall itself. The plants receive water and nutrients from within the vertical support instead of from the ground.
- (k) *Impervious Area*: Impervious Areas are man-made areas that cannot absorb water from rain or snow. Impervious Area Examples: Roofs; Roads; Sidewalks; Driveways; Parking Lots.
- (l) *Meaningful Open Space*: Privately or publicly-owned property that is not a part of the inside of a building. These areas are intended to provide for the use and benefit of the general public, and are legally accessible by the general public. These areas are

accessible and designed for outdoor living, gathering, landscaping, recreation, pedestrian activity, meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Open space shall not be simply pervious areas such as retention ponds and parking lot islands or landscape planting areas around building bases, but 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. The intent is that each of these areas create the opportunity for social interaction, relaxation, recreation and reflection.

- (m) *Mixed-Use*: Mixed-use development combines two or more types of land use into a building or set of buildings that are physically and functionally integrated and mutually supporting. This can be some combination of residential, commercial, industrial, office, institutional, or other land uses. The form of mixed-use development can be vertical or horizontal. Vertical mixed-use occurs when different uses inhabit the same building and sit atop one another, such as residential or office uses over ground floor retail. Horizontal mixed-use occurs when uses are placed next to each other, such as an apartment building that is adjacent to offices, restaurants, or retail shops. Mixed-use areas often create the main street/downtown, activity center, or commercial corridor of a local community, district, or neighborhood. They frequently involve stacking uses – residential or office above retail, for example, in low or midrise buildings, but are predominately made up of a variety of individual buildings arranged around streets and around public squares or other open spaces.
- (n) *Multi-Generational Play Area*: Instead of focusing exclusively on children, these playgrounds broaden their scope to include equipment, activities and amenities for those older than age 12— and perhaps significantly older—so that anyone who visits the playground, regardless of age or ability, can find something there they enjoy.
- (o) *Multi-Modal Transportation*: This concept is that all modes of transportation should have equality and there shouldn't be the typical hierarchy where private automobiles have more opportunities at the cost of pedestrians, cyclists, public transportation users and handicapped persons.
- (p) *Overlay District*: An area where certain additional requirements are mapped upon an underlying zoning district(s). The district modifies or supplements the base zoning regulations and allows for flexibility in design and the ability to apply more area specific requirements including, but not limited to, architecture, height, setbacks, use, open space, landscaping, historic preservation, floor area ratio, parking, public improvements, access,

stormwater, etc. In the instance of conflicting requirements, the stricter shall apply.

- (q) *Percentage-Based Development Enhancement*: In exchange for the ability to earn additional development entitlements above those currently allowed in the zoning code, certain public improvements and area-wide solutions will be required by those who develop or re-develop properties. Property owners or developers may use any combination of the Development Enhancement Menu to earn their way up to the Maximum Achievable Floor Area Ratio.
- (r) *Pervious Area*: A pervious surface is a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving as well as porches and decks erected on pier foundations that maintain the covered lot surface's water permeability.
- (s) *Placemaking*: As both an overarching idea and a hands-on approach for improving a neighborhood, city, or region, placemaking inspires people to collectively reimagine and reinvent public spaces as the heart of every community. Strengthening the connection between people and the places they share, placemaking refers to a collaborative process by which we can shape our public and private realm in order to maximize shared value. More than just promoting better urban design, placemaking facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets, inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.
- (t) *Public Improvements*: Any drainage facility, roadway, parkway, pedestrian way, off-street parking area, lot improvements, sidewalk, bike lane, park, public facility, pedestrian crossing, boulevard or other facility which benefits the public.
- (u) *Residential Density*: Measured in dwelling units per gross acre. Maximum densities determine the number of apartment, townhome, condominium or other multifamily units allowed.
- (v) *Walkability*: A measure of how well streets are designed to incorporate pedestrian scale elements and to create equal access for pedestrians. A walkable area has health, environmental, and economic benefits. It keeps pedestrians interested, safe and engaged with the built environment around them. With community-based participation at its center, an effective placemaking process capitalizes on a local community's assets,

inspiration, and potential, and it results in the creation of quality public spaces that contribute to people's health, happiness, and well-being.

- (w) *Workforce Housing*: A dwelling unit, with regard to a unit for sale, which costs less than 120 percent of the median price of the single-family homes sold the previous year in the Orlando metropolitan area; and with regard to a unit for rent, one which rents monthly for less than 120 percent of the median monthly cost of similar sized units for the previous year in the Orlando metropolitan area, and for which the purchaser's or renter's income or combined family income does not exceed 120 percent of the median family income for the Orlando metropolitan area.

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

**SECTION 4. Codification.** Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park Land Development Code, and the sections of this Ordinance may be renumbered or relettered 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 5. Effective Date.** This Ordinance shall become effective immediately upon approval by the City Commission at its second reading.<sup>3</sup>

**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 \_\_\_\_\_, 2020.

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Mayor Steve Leary

Attest:

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City Clerk

DRAFT