



# city commission agenda item

item type	Public Hearings	meeting date	1/13/2020
prepared by	Planning	approved by	City Manager, City Attorney
board approval	yes	final vote	
strategic objective	Exceptional Quality of Life, Intelligent Growth and Development, Investment in Public Assets and Infrastructure, Fiscal Stewardship, Public Health and Safety		

## **subject**

Request of the City of Winter Park for:

- Ordinance - Amending Chapter 58 "Land Development Code" Article I, "Comprehensive Plan" to adopt new goals, objectives and policies of the future land use element to establish the Orange Avenue Overlay District. (1)
- Ordinance - Amending Chapter 58 "Land Development Code" Article III, "Zoning" to adopt a new zoning district Section 58-83 Overlay Districts (OD). (1)

## **motion / recommendation**

See Below

## **background**

The City of Winter Park has discussed the possible redevelopment of Orange Avenue for many years, but little has been achieved. The City Commission made the creation of a Mixed-Use Overlay District a priority in the Comprehensive Plan and also directed staff to create a process that would bring forward a Mixed-Use Overlay District.

It is the intent of the Orange Avenue Overlay (OAO) District to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This Overlay District is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls.

## **Placemaking**

The concept of Placemaking has been a major component of the Orange Avenue Overlay creation. By using the community input that was provided as a part of the Vision Winter Park process, the process of updating the Comprehensive Plan, and from the Orange Avenue public input process, a vision for the area began to take shape. Placemaking allows for a vision for an area to become a reality, creating

spaces and places for social interaction and creating memorable experiences.

## **Process**

What is unique about this process is that in the past, the City has relied on outside consultants to perform most of the large-scale planning initiatives. These processes don't always allow for as much public participation and there is a feeling in the community that by the time the draft document is presented, there is no real opportunity to change the language. Additionally, the work was performed by people who may not live and work in the community, and may not have the insight of those who know Winter Park best.

That is why this process has been so different. This process was done completely in-house, with City staff from various departments involved, but led by the City of Winter Park Planning and Community Development team. Many studies have been performed on Orange Avenue in the past, but no actual codes or actionable documents had been created. The desired outcome for this process was to finally create updates to codes and planning documents that would actually stimulate thoughtful development.

Though the Planning team has great insight into the community, staff wanted an implementable plan that would be developed by Winter Park, for Winter Park. Therefore, a process was created that would be guided by the public from the start to the finish.

Staff has worked with the Winter Park Community and members of the community who provided their input or serve their community as Board or Committee member. This Overlay process represents more than 15 months of collaboration.

## **Public Input**

The input of the Winter Park community has been at the forefront of this planning initiative. A great deal of public input had been gathered by past studies and initiatives such as Vision Winter Park or the updating of the Comprehensive Plan, but staff would start again, with the first step being public input as a part of this Overlay process.

### *First Public Input Meeting*

Staff advertised and held a public input meeting on March 25, 2019, at the Community Center. Rather than give a presentation on what staff hoped to accomplish, this session simply had attendees give their written input on a series of 16 questions and any other input they wished to provide. Approximately 150 citizens attended this meeting and significant input was provided.

### *Stakeholder (2<sup>nd</sup>) Public Input Meeting*

A second public input meeting was held on April 4, 2019, that centered around gathering stakeholder input from the property owners who had properties within the Overlay area, though the public was also invited to attend. The meeting was held at the Welcome Center and after a brief introduction by staff, the attendees asked questions of staff and then were invited to once again provide their written input to

the same questions from the first input meeting. Over 100 people attended this second input meeting.

### *Continued Input*

To increase the amount of public input, staff created a survey from the questions created for the public input meetings, and for 2 months, asked residents to access the survey from the City website and provide their input.

Additionally, staff created OrangeAve@cityofwinterpark.org, an email address that has remained active throughout the process to provide the public the opportunity to provide any and all input they would like.

It has remained the intent of staff to create a process that provided enough time for anyone who wanted to be involved, could be actively involved.

On top of public input meetings, staff has held meetings with stakeholders, property owners, neighborhood groups, condo associations, stakeholder groups and individual citizens throughout the months of the Overlay process. Altogether, staff met with groups or individuals that has consisted of hundreds of hours of additional opportunity to hear from the public about their vision for Orange Avenue.

### *Community Outreach*

Staff continued to try to utilize creative approaches to get citizen input and to provide the public with as much education as possible about what the Orange Avenue Overlay process was about, and how they could continue to provide input. Press releases were created for each step of the Overlay process.

### *Informational Videos*

In a unique approach to the Orange Avenue Overlay District planning initiative, staff created a number of informational videos that explained what some of the key topics were, to make sure that the public had a clear understanding of what the Overlay process was all about.

The first video was about Placemaking and how a community could cast a vision, and then make that vision become a reality. The second video was about Overlay Districts and how they could be a helpful planning tool. The video used everyday items to depict different elements of the built environment and how Overlay Districts can create positive change. The third video was about Mixed-Use. The video had a number of Orange Avenue Overlay Steering Committee members and Planning & Zoning Board members discussing their favorite mixed-use areas in Winter Park.

The fourth video showed the public process and the public input that given throughout the Overlay process. That video will become available after the January 13, 2020 City Commission meeting.

### *Orange Avenue Community Walkshop*

Another unique opportunity that was created to invite the public to provide input, and to see the Orange Avenue area from the pedestrian viewpoint was the Orange Avenue Overlay Walkshop that was held on August 20, 2019. The walkshop invited everyone in the community to walk as a group throughout the area that was being considered, stopping at 10 different locations to have meaningful discussions and to share observations.

Approximately 50 people attended the walkshop, and the attendees found it to be a worthwhile and new type of planning input opportunity.

#### *Additional Public Outreach*

On July 15, 2019, Planning Director Bronce Stephenson, presented the Overlay District process and plan to a sold-out crowd at Winter Park Chamber of Commerce event, Good Morning Winter Park. The presentation was also live streamed to social media audiences.

On October 3, 2019, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Winter Park Land Trust. Staff has also held multiple discussions and meetings with various members of the Winter Park Land Trust.

On November 6, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Government Affairs Committee of the Chamber of Commerce.

On December 2, 2019, Planning Director Bronce Stephenson presented the Overlay District language to the Winter Park Rotary Club.

On December 18, 2019, Planning staff held a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public was welcomed to attend as well.

On December 21, 2019, staff had a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff was at the booth from 7AM until 1PM and had the opportunity to meet with dozens of community residents to discuss the Overlay.

#### **Orange Avenue Overlay Steering Committee**

Staff requested that the City Commission allow for the creation of a Steering Committee, to represent the public and to guide the development of the Overlay language.

#### *Orange Avenue Overlay Steering Committee Roster:*

The Steering Committee had a citizen appointed by the Mayor and each Commissioner, plus a representative from Boards and Committees that had close ties to the creation of an Overlay District. The Committee consisted of the following members:

- Phil Kean, AIA – Mayor Leary Appointee
- Sally Flynn – Vice-Mayor Seidel Appointee
- Michael Dick – Commissioner Cooper Appointee
- Lamont Garber – Commissioner Sprinkel Appointee
- Sheila De Ciccio – Commissioner Weaver Appointee
- Laura Turner, AICP – Planning & Zoning Board Representative
- Bill Sullivan – Vision Winter Park Representative
- Lambrine Macejewski – CRA Advisory Board Representative

- Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative
- Jill Hamilton Buss – Transportation Advisory Board Representative
- Bill Segal – Economic Development Advisory Board Representative

Over 26 weeks, the 11-member Steering Committee held a total of 13 meetings (including the walkshop), which invited the public to attend and allowed for public comment at each meeting. The Steering Committee covered a variety of topics over their extensive meeting schedule. The Committee voted on the following language that established their goals:

*"The Steering Committee shall guide code language for the successful implementation of the Orange Avenue Overlay. The language shall incorporate the city's Vision and Comprehensive Plan goals of creating a mixed-use district and a gateway into Winter Park. The language shall enhance the Orange Avenue area identity and experience, while increasing safety and mobility. It shall provide enhanced and flexible development standards to create the opportunity for positive and sustainable public and private improvements and redevelopment of the area. The Committee shall make a recommendation of the draft language to the City Commission for final approval."*

## **Orange Avenue Overlay District**

The attached Orange Avenue Overlay Report provides the information that would typically be discussed in a staff report, but due to the length of the document, staff would request that the Commission review the attachments. There is thorough analysis of the process, the public input provided, the Steering Committee process, the new codes proposed and the timeline of the process. Please refer to the attached Orange Avenue Overlay Report and the draft Ordinances that would create the Orange Avenue Overlay District and change the Comprehensive Plan in accordance with the Orange Avenue Overlay District.

## **Commitment to Public Input, Education & Involvement**

Now that this Overlay process has reached its conclusion, there have been 19 publicly advertised meetings where the public was invited to attend, provide input, comment or ask questions. Staff has spent hundreds of hours meeting with the community and property owners in the Overlay area to fully understand and address the issues that have kept this area from reaching its full potential.

Additionally, there have been 2 publicly noticed worksessions open for the public to attend, held by the Planning & Zoning Board. Additionally, the City Commission has held 12 publicly noticed worksessions that were open for the public to attend.

## **Recommendations**

At their final meeting on November 13, 2019, the Orange Avenue Overlay Steering Committee voted 8-2 to recommend approval of the Final Draft language, with minor changes that were discussed at the meeting. The major topic that all members of the Steering Committee could not agree upon was whether or not the City-owned Progress Point property should be developed, to what scale it should be developed,

and whether or not it should be used as a park.

At their meeting on December 3, 2019, the Planning & Zoning Board voted unanimously to recommend approval of the Ordinances creating the Orange Avenue Overlay District. The meeting minutes and the comments made by P&Z members regarding their enthusiastic recommendation of this Overlay is attached.

Staff recommends approval of the Ordinances creating the Orange Avenue Overlay District.

### **Summary**

This process has been a transformative way of creating a community-based planning process. This Overlay District was created as a result of the Comprehensive Plan calling for a new way of exploring the creation of a Mixed-Use Overlay District. This process was not driven by developers or in response to any sort of planned development, instead it was based on the input of the Community and through the guidance of a Steering Committee, the Planning & Zoning Board, professional City staff and the City Commission. This process has included 15 months exploring the problems that have led to the economic stagnation of the Orange Avenue Overlay District. The findings and recommendations are based on solutions to problems that have hurt small businesses in the Orange Avenue area for many years and led to continued lack of revitalization. The Vision Winter Park Plan, the Sustainability Plan and the Comprehensive Plan have been the guides to creating a new way of looking at development in Winter Park and allowing for development bonuses to be earned, rather than simply given through rezoning or variance. The City and the Winter Park community worked together to create the vision for Orange Avenue. A vision that keeps traditional scale, creates a more walkable district, creates safety for all modes of transportation, assists small businesses, finds creative solutions to area-wide issues, ensures high-quality development, creates more open space and brings connectivity to the area. The end result of this process will be the creation of the next great Place in Winter Park, one the community will be proud to call their own.

### **alternatives / other considerations**

N/A

### **fiscal impact**

N/A

#### **ATTACHMENTS:**

Description	Upload Date	Type
P&Z Minutes	1/7/2020	Backup Material
Orange Avenue Report	1/7/2020	Backup Material
OAo COMP PLAN ORDINANCE	1/10/2020	Backup Material
OAo ZONING CODE ORDINANCE	1/8/2020	Backup Material



# Planning and Zoning Board Minutes

December 3, 2019 at 4:30 p.m.

City Hall, Commission Chambers  
Regular Meeting

Minutes from OAO

- CPA #19-04 Request of the City of Winter Park To: Amend Chapter 58, Land Development Code, Article I, “Comprehensive Plan” so as to adopt new Goals, Objectives, and Policies of the Future Land Use element to establish the Orange Avenue Overlay District.
- ZTA #19-05 Request of the City of Winter Park To: Amend Chapter 58 “Land Development Code”, Article III, “Zoning Regulations” so as to adopt a new zoning district Section 58-83 Overlay Districts (OD).

Planning Director Bronce Stephenson took a moment before his presentation to ask for a show of hands from the public attending the meeting if they had participated in any of the meetings conducted throughout the Orange Avenue Overlay process. A great number of hands were raised and Mr. Stephenson commended those persons for their participation. Mr. Stephenson then recognized the Orange Avenue Overlay Steering Committee members for their service contribution to the process as well as members of Staff for their involvement.

Mr. Stephenson stated that the Overlay Language and each new revision had been available for public review for months and focused his presentation on the work sessions and individual meetings with the Planning and Zoning board members. He stated that he wanted to focus on the process that had taken place over the last year. He noted that the process was not the result of a developer application or applications on file. Mr. Stephenson stated that the process was an initiative defined in the Comprehensive Plan and read the related policy:

#### **Policy 1-2.4.14: Mixed Use Designation**

Within one year from the adoption of this Comprehensive Plan, *the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design...*

Mr. Stephenson stated that aside from the portion of the policy related to the one-year timeframe, the initiative had been accomplished. He stated that he was proud of the work that was achieved and explained that with the assistance of the Community, Staff was able to create a product designed by Winter Park that rather than using an outside consultant. He stated that the Overlay report contained approximately four pages of items from the Comprehensive Plan that directed the process such as increasing connectivity, creating architectural standards and removing inappropriate uses from the area.

Mr. Stephenson noted that another important directive was to create a gateway into Winter Park and stated that the Orange Avenue Overlay area had the potential to be a beautiful gateway into Winter Park and was kept at the forefront during the process. In addition, he stated that the Vision Winter Park process was at the front of every decision made and two of the Vision Winter Park committee members were members of the Orange Avenue Overlay Steering Committee. He reiterated that the Comprehensive Plan and Vision Winter Park were

the guiding documents and principals used along with extensive input received throughout the process.

Mr. Stephenson stated that Orange Avenue had been a topic of discussion for many years with a number of studies and analyses performed but because no opportunities for redevelopment of the area stemmed from those studies, Staff decided to take a different direction with the process.

Mr. Stephenson stated that extensive and continued public input had been the backbone of the process and reviewed the numerous ways in which staff received information from the public:

Open Public Input Meetings, Orange Avenue Survey, Orange Avenue email address [OrangeAve@cityofwinterpark.org](mailto:OrangeAve@cityofwinterpark.org) for any and all public input, Individual Meetings, Orange Avenue Overlay Steering Committee, meetings with EDAB, TAB, CRAAB, KWPB&S, P&Z and City Commission, Orange Avenue Walkshop and Citywide Public Notice and subsequent public hearings at Planning & Zoning and City Commission.

Mr. Stephenson explained that the Orange Avenue Overlay Steering Committee met every two weeks over the course of 6 months to discuss issues afflicting Orange Avenue Overlay. The Committee held panel discussions with neighboring residents, small-business owners, large land-owners and larger business owners in the area to discuss hear their concerns. In addition, the Committee reviewed extensive public input and worked to create solutions to the problems that have led to over a decade of economic stagnation and decline of the area. Mr. Stephenson presented a planning video that documented the public process and explained that throughout the process, there was a commitment to public involvement and education. He noted that by the time the Overlay process was complete, there would be 19 meetings where the public was invited to attend, provide input or ask questions. Additionally, two Planning & Zoning Board work sessions and two City Commission meetings will have been held and open for the public to attend.

In an effort to assist with any misinformation the public may have received about the process, Mr. Stephenson moved on to discuss the facts of the Overlay process:

- The Overlay process and subsequent language created were not related to any development applications, developer requests, or plans for development of any property.
- The Overlay process was the result of the adopted Comprehensive Plan, which called for the creation of a Mixed-Use Overlay District. The City Commission directed staff to pursue this Overlay Process.
- The language created was not created by developers. It was created by the Winter Park community.
- The primary objective has been to solve the issues that have led to over a decade of economic stagnation. The protection and creation of redevelopment opportunities of small businesses have been at the forefront of this process
- Currently, the Overlay Area has approximately 1,100 units that are allowed by right. If the Overlay was approved, there would be the same number of units.
- With the Overlay District, there would be no more dwelling units created. There is no increase in gross density in the area.
- Despite what had been reported, the small-scale character of Orange Avenue has been promoted and protected throughout the process to the highest extent possible.
- Additional entitlements of square footage must be earned by new development. The way to earn the additional entitlements is through the construction of public improvements, park

space improvements, trails and connectivity, more trees to increase the urban canopy, and other public improvements.

- Despite what had been misrepresented repeatedly through social media and mass email, the process was not hurried in any way. The City Commission was aware of the 12 month+ timeline and had been updated on the progress of the process twice a month in the City Commission packets.
- This process included several months of public input opportunities, public meetings, public input, neighborhood meetings, public presentations, educational videos and much more.
- This process is the culmination of more than 14 months of work by City staff, a Steering Committee and community input.
- Citywide Notice was sent to all Winter Park households. The Citywide notice has been in households for over a month and the information has been available for review and input throughout the process.
- There was no “push” to try to get this process done during the holidays and public hearings would be held by P&Z on December 3 and by the City Commission on January 13, 2020.

Mr. Stephenson provided information on the upcoming Orange Avenue Overlay meeting schedule.

- On December 18, 2019, staff would hold a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public is welcome to attend as well.
- On December 21, 2019, staff will have a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff will at the booth from 7AM until 1PM.
- P&Z Public Hearing December 3, 2019.
- City Commission Public Hearing January 13, 2020.

Mr. Stephenson stated that at their 12<sup>th</sup> and final meeting on November 13, 2019, The Orange Avenue Steering Committee voted 8-2 to recommend approval of the Orange Avenue Overlay District.

Mr. Stephenson noted that the issues that the Steering Committee members did not agree on were whether or not Progress Point should be developed, at what scale or whether the area should be made into a park, and what other opportunities could be explored for the property. Additionally, one Committee member did not agree with some of the language in the Overlay document and felt it did not fit with some of the guiding documents that were a part of the process.

**Mr. Stephenson stated that Staff recommendation was for approval of the Ordinances to create the Orange Avenue Overlay District and to amend the Comprehensive Plan to reflect the language of the Orange Avenue Overlay District.**

There were no questions for Staff. The Board opened the floor for public comment.

The Board heard public comment from:

Steve Goldman, 2009 Venetian Way, Winter Park, FL addressed the Board and stated that he was representing the views for the Winter Park Land Trust. He commended Mr. Stephenson’s efforts with the process and stated that it was important to have strong community support with the process. He talked about the importance of green space for the area and the need for an inviting entrance to Mead Garden.

Sheila De Ciccio, 1630 Laurel Road, Winter Park, FL addressed the Board. She explained that she was a member of the Orange Avenue Overlay Steering Committee and noted concerns related to the Progress Point property. She discussed concerns related to the maximum height requirement and increased traffic. Additionally, Mrs. De Ciccio stated that she felt the City should not sell Progress Point, but find a use for the property that would benefit the residents of Winter Park such as a theater district or food court.

Phil Anderson, 1621 Roudelay Lane, Winter Park, FL addressed the Board. He urged the Board to delay the vote on the Ordinance and discussed concerns related to parking deficit, stormwater treatment, traffic safety, loss of on-street parking. Additionally, Mr. Anderson felt that the best use of Progress Point would be to solve parking and stormwater needs for businesses in the area.

Lamont Garber, 1071 Lakeview Drive, Winter Park, FL addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee and that throughout the meetings, the Committee members did a lot of due diligence and took the time to understand concerns of the area. Mr. Garber talked about the benefit the Overlay would have on the area by enlisting the help of the three major landowners to provide infrastructure solutions for the area such as drainage, parking, right of ways, and most importantly, improvements the obsolete structures along Orange Avenue.

Bill Segal, 1820 Windsor Drive, Winter Park, FL, addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee. He talked about his experiences driving on Orange Avenue over the years and recounted the lack of life or vibrancy in the area. Mr. Segal stated that he was thrilled about the effort to rehabilitate the area and explained that the Committee received a great amount of public input throughout the process. He stated that he was happy about the new walkway into Mead Garden, the addition of walk/bike paths and most importantly, the opportunities the Overlay would allow the small business owners to improve their properties and stated that he felt the document had great balance. Lastly, Mr. Segal stated the need for the Board and City Commission to take an in-depth look at the Progress Point property.

Thomas A. Thomas, 1302 Orange Avenue, Winter Park, FL addressed the Board stated that his office moved onto Orange Avenue in November of 1997 and talked about ongoing traffic issues in the area throughout the years. He stated that with the new process, he would like to see the parking issues resolved in the area and speed limits enforced.

Jennifer Crotty, 1152 Harmon Avenue, Winter Park, FL addressed the Board and stated that she was a small business owner in the area. She stated that after listening to the stories of other business owners in the area fighting to get issues resolved over the years, she believed the Overlay was the best solution for fixing the problems in the area and stated she was in favor of the Overlay.

Ruth Heine, 2358 Summerfield Road, Winter Park, FL recognized the time and effort the Committee put into preparing the proposal for submission to the Planning and Zoning Board and City Commission. Mrs. Heine expressed concerns related to traffic and stated that she would like to see Progress Point used as greenspace for the area. Additionally, Mrs. Heine stated that she would like to see renderings of what the area would look like with the changes in the Overlay and asked the Board to give the process more time.

Jill Hamilton Buss, 1935 Oakhurst Avenue, Winter Park, FL addressed the Board and stated that she was a member of the Orange Avenue Overlay Steering Committee as well as the Transportation Advisory Board. She read quotes related to walkability and transportation and explained that even though the transportation portion of the Overlay was set aside, much of what the Committee focused on was related to transportation, connectivity, pedestrian and bicyclist safety, widening of sidewalks, many things that make a place walkable and bikeable. She noted that throughout the process, the Committee met with residents, small and large

business owners and she was very impressed with the amount of involvement from the community. She stated that she felt the entire process was well thought out and she was in favor of the Ordinance.

Cynthia Hasenau, 111 Longbranch Road, Winter Park, FL addressed the Board. Ms. Hasenau stated that she was the Executive Director of Mead Botanical Garden and stated that the Garden was in a public/private partnership with City. She stated that she had attended a number of meetings regarding the Overlay and was struck by the continued balance, openness, thoughtfulness and willingness to learn from the Committee members. She talked about greenspace, successful commerce for the area and connectivity and spoke in favor of the Ordinance.

David Daly, 1307 Lindenwood Lane, Winter Park, FL addressed the Board and expressed concerns related to existing traffic conditions and wondered what impact the Overlay would have on traffic in the area.

Bonnie Ferguson, 700 Melrose Avenue, Winter Park, FL addressed the Board. She stated that she's lived in Winter Park since 1960 and reiterated Mr. Daly's concerns regarding the impact the Overlay would have on traffic. Mrs. Ferguson also expressed concerns about stormwater retention and greenspace in the area. She stated that she believed in the process, appreciated all of the public input and effort made during the process and felt that Progress Point should remain a City-owned property.

Judith Meyers, PO Box 554, Winter Park, FL, addressed the Board and stated that she has been a resident of Winter Park since 1969. Ms. Meyers expressed concerns related to traffic conditions on Orange Avenue and throughout the City. She voiced concerns that the Overlay would add to the already poor traffic conditions and stated she was opposed to the Ordinance.

Wade Miller, 1520 Glencoe Road, Winter Park, FL, addressed the Board. He stated that he attended a number of the Orange Avenue Overlay Steering Committee meetings and stated that he was impressed by the process. He stated that if every task force could accomplish what the Steering Committee achieved on every project in the City, Winter Park would continue to be an incredible place and talked about the positive impact the Overlay would have on Winter Park. He stated that the process was a positive moment for Winter Park and he would like to see the process continue.

Jeanne Wall, 2110 Lake Drive, Winter Park, FL, addressed the Board. Mrs. Wall stated that she appreciated the time and effort of everyone involved in the process. She voiced concerns related to the increased traffic, parking, and maximum height requirements, signage and uses such as massage in the Overlay area. She asked that the Board delay voting on the Ordinance and take more time to review the process before moving forward.

Bart Johnson, 1214 Turner Road, Winter Park, FL addressed the Board and stated that he and his wife have lived in Winter Park for 30 years. Mr. Johnson commended the Committee and Staff for their efforts with the process. He stated that he read most of the documents related to the Overlay was largely in favor of the majority of what the Committee was trying to accomplish, such as placemaking, purpose and Vision themes. He conveyed concerns related to the impact the Overlay would have on already poor traffic conditions in the area and asked the Board to take those concerns into consideration.

Dr. Peter Lemiux, 5309 Cypress Reserve Place (business at 1185 Orange Avenue), Winter Park, FL, addressed the Board. Dr. Lemiux explained that he been a business owner on Orange Avenue for the past 30 years and enjoyed hearing the conversations regarding the potential improvements to Orange Avenue. He explained that his biggest concerns were related to parking and stormwater drainage. He stated that he was hopeful that the Progress Point property would be constructively utilized to solve the problems afflicting the area. He stated that the business owners are the fuel for the economy for Orange Avenue and he would hate to

see changes that would prohibit the businesses from flourishing. Lastly, Dr. Lemieux thanked Staff and the Orange Avenue Overlay Steering Committee for listening to the concerns of the small business owner and stated he was in support of the Ordinance.

Jeffrey Blydenburgh, 204 Genius Drive, Winter Park, FL, addressed the Board. He thanked Staff and the Orange Avenue Overlay Steering Committee for their efforts and talked about the Vision Winter Park being a guiding document for the Orange Avenue Overlay process. He discussed the FAR requirements for the area and stated that the proposed scales were not densification for the area. Mr. Blydenburgh went on to state that he felt the Progress Point property should be used as an open space for the area. Lastly, he thanked the Committee and Staff for their hard work and asked the Board to support the Ordinance.

Leon Huffman, 350 Olulu Avenue, Winter Park, FL, addressed the Board. Mr. Huffman thanked Staff and the Committee for their participation in the process. He expressed concerns that the Orange Avenue Overlay Ordinance would change the scale, maximum height requirements and density restrictions that were adopted in the Comprehensive Plan in 2017 and asked the Board to consider those concerns.

Pat McDonald, 2348 Summerfield Road, Winter Park, FL, addressed the Board. She stated that the Orange Avenue Overlay was probably the most important decision Planning and Zoning would ever make for the City of Winter Park because the Overlay would serve as a model for all corridor redevelopment in the City. Ms. McDonald said that she and other citizens needed more time to read the Overlay document and asked the Board to delay their vote to give the citizens an opportunity to be fully informed about all aspects of the Orange Avenue Overlay and have all of their questions answered.

Mary R. Randall, 1000 S. Kentucky Avenue, Winter Park, FL, addressed the Board. Mrs. Randall expressed concerns results related to increased traffic and meeting notice requirements. She asked the Board to delay their vote and to consider those concerns.

Guy Colado, 327 Beloit Avenue, Winter Park, FL, addressed the Board. Mr. Collado stated that he was the developer and part-owner of one of the properties within the Overlay. He voiced issues related to garage FAR and building height requirements and that Staff and the Board address his concerns.

Bill Sullivan, 1362 Richmond Road, Winter Park, FL, addressed the Board and explained that he was a member of the Orange Avenue Overlay Steering Committee, had been a member of Vision Winter Park and was a current business owner on Orange Avenue. Mr. Sullivan explained how the Committee addressed issues related to parking and stormwater drainage issues and expressed concern that if the process were delayed the area would continue to suffer from blight.

Michael "Micky" Grindstaff, 300 S. Orange Avenue, Winter Park, FL, addressed the Board on behalf of Demetree Global, which owns the gateway parcels at 17-92, and Orange Avenue and is also a 19 year resident of Winter Park. Mr. Grindstaff stated that Demetree Global was very much in favor of the Overlay and asked the Board to consider changing two sections of the Overlay language that related to the Demetree Global properties:

1. To move a piece of property in Area A to Area D due to common ownership
2. To adjust RailTrail sidewalk connection square footage numbers and language related to enhancement C.2.1.

John Beck, 451 N. Interlachen Avenue, Winter Park, FL, addressed the Board. Mr. Beck expressed concerns related to traffic, density, and accidents in the City. He stated that the Ordinance should be to put to a vote by the citizens of Winter Park.

Frank Hamner, 405 Balmoral Road, Winter Park, FL, addressed the Board and stated that he had been a resident for over 30 years and has represented the Holler Properties for over 20

years. Mr. Hamner stated that he attended all but two of the Orange Avenue Overlay Steering Committee meetings and commended Staff and the Committee members for their hard work. He talked about the unique structure of the Overlay process and discussed the in-depth effort made by Staff and the Committee to include public input. Mr. Hamner stated that any delay in moving the Ordinance forward to the City Commission would be a disservice to the amount of time the Committee had put into the process. He implored the Board to support the hard work of the committee and stated that it could not have been a better process.

Michelle Heatherly, 940 W. Canton Avenue, Winter Park, FL, addressed the Board and stated that she was a Winter Park resident as well as a representative of Demetree Global and commended Staff and the Committee for their investment of time and hard work on the Orange Avenue Overlay process. She stated that she was in agreement with Mr. Grindstaff and Mr. Hamner that the process had been a very collaborative process with a lot of public input. Ms. Heatherly stated that the City has an opportunity to create a beautiful gateway entrance into Winter Park with a welcoming sense of arrival that would transform the entire corridor into a walkable vibrant thriving place full of activity for residents, businesses and visitors. She stated that she had attended all of the Orange Avenue Overlay Steering Committee meetings, workshop, public input meetings and listened to various panels and felt that the Overlay provided an opportunity to help solve some of the problems in the Corridor including shared parking, stormwater retention and meaningful open space. Lastly, Ms. Heather stated that as a resident she excited for the Overlay and Demetree Global was in full support of the process.

No one else wished to speak. The public hearing was closed.

The Board asked Mr. Stephenson to address concerns expressed during public comment. Mr. Stephenson thanked the community for their participation during the meeting and went on to address concerns voiced by the residents. Mr. Stephenson addressed concerns:

Progress Point - Mr. Stephenson explained that no applications have been received for any projects related to Project Point. The property is owned by the City and the City Commission will decide on development for the property.

Parking solutions - Mr. Stephenson stated that the Ordinance includes a detailed parking solution for the Orange Avenue Overlay area and reviewed the shared parking criteria.

Traffic Study - Mr. Stephenson stated that the Ordinance contains an extensive traffic study, which includes portions of the 17-92 traffic study and Orange Avenue west of 17-92 traffic, a study being discussed by DOT and noted that DOT was working on solutions for the intersection of 17-92 and Fairbanks Avenue, and Orange Avenue and Harmon Avenue.

Stormwater - Mr. Stephenson explained that a thorough analysis of the area had been conducted and briefly discussed explained the stormwater treatment plan.

Police Dept., Fire Dept., Public Works and Electric Utilities - Mr. Stephenson explained that all departments were involved with the process. He explained that Staff met with each department to discuss and ensure that each had the capacity to serve new development of varying scales.

Utility easement modification on the Rail Trail - Mr. Stephenson stated that the 20-foot easement was required for utilities and the best location for those easements was along the trail. He stated that certain utilities require separation from other utilities and explained that a 12-foot easement did not allow enough space for Fiber, Water, Electric and Sewer, etc., thus, a 20-foot easement was the minimum that should be allowed. Mr. Stephenson noted that Staff would be opposed to reducing the easement.

The Board asked Mr. Stephenson to address comments made by Mr. Colado that FAR allowances on the west side of Orange Avenue were different than the east side. Mr. Stephenson explained that the FAR allowances were the same on both sides of Orange Avenue; he explained that the FAR was the same for Area E, which is adjacent to 17-92. He explained that the difference on

the West Side parking garages would count toward FAR because there was no shortage of parking on the west side of 17-92. He explained that parking was strategically placed in that area so that it did not encroach into residential neighborhoods.

An extensive discussion ensued regarding the 20-foot easement reduction request and Staff's opposition to the reduction. The Board and Staff discussed the current location of utilities, stormwater drainage at Palmetto Avenue and the Rail-Trail access easement, development incentives for people connections. The Board and Staff discussed the possibility of an alternative for the portion of the easement related to the property in Area D. Mr. Stephenson stated that the language that reads, "The trail shall be built along the entire property line adjacent to the rail" could be changed to "The trail shall extend the entire length of the property". Mr. Stephenson noted that a 12-foot trail should be the minimum constructed for a striped trail with landscape buffers on either side. Mr. Stephenson stated that Staff would support P&Z in the reduction, but strongly request that the Board keep the width and location of the trail remain as outlined in the enhancement matrix.

Discussion ensued regarding shared parking-related and ULI (Urban Land Institute) standards. The Board asked Mr. Stephenson if the City had a recognized standard for shared parking relative to the ULI standard or another standard other than the term shared parking. Mr. Stephenson explained that the shared parking standard was adopted by the City along with the 750-foot walkshed and modified parking requirements for retail restaurant and office in the CBD (Central Business District), Park Avenue and Hannibal Square. He noted that at that time, the language only included properties directly fronting on Orange Avenue, but with the Ordinance language, the entire Overlay area would be included. He reiterated that the City uses ULI for shared parking analysis, as it is a nationally recognized standard.

Further discussion ensued regarding development intensity concerns reflected during public comment. The Board and Staff discussed Floor Area Ratio analysis for the Overlay area and the allowable square footage under the current zoning.

There were no further questions for Staff.

Board member Laura Turner thanked all of the committee members and staff for their participation in the process. She stated she was a professional planner by trade and education and outreach was an important component of what she does with public projects. She stated that the process was one of the most intense and collaborative efforts she'd seen urged fellow P&Z members to support the document, including changes made during the work session. She stated that and while there are some unanswered questions, the document provides the framework for the future land use component of the district.

Board member Adam Bert stated that he was in favor of the Ordinance. He stated that the Overlay area was stagnant and blighted and in the present economic climate, there was no reason for the area not to be productive. He noted concerns made by residents during public comment and stated that he felt overall, the Overlay would be a benefit to the residents and small businesses in the area as well as the entire City. He commended Mr. Stephenson for his efforts and dedication in the process and noted Mr. Stephenson's previous experience in creating an Overlay district in the Red Bud District of Owasso, Oklahoma.

Board member Chuck Bell stated that he has been a planner for 40 years and worked all over the world. He stated that the self-initiated planning process is rare and should be a model going forward in the City. He stated that normally an outside consultant would be brought in to create the processes developed by the Committee and Staff. He reiterated that the document was a framework that progressively looks at zoning in a way that is much more thought out in order to guide the vision of what the area should be. He commended Staff and the Committee for their efforts with the process and supports the Ordinance.

Board member Dr. Owen Beitsch stated that he also was a professional planner. He commended Staff and the Committee for their accomplishment with the process. He stated that the word framework was very important, as there were suggestions that the Planning and Zoning board attempted to put into a broader set of changes. He stated that because it was a framework some things would not work exactly as drafted and it should be expected that the Ordinance would change over time. He talked about the lack of functionality in the area in its current condition and stated that the changes outlined in the Ordinance were significant enough that the benefits out way any shortfalls. He stated that he was in support of the Ordinance and urged his fellow board members to support it as well.

Vice-chair Ray Waugh echoed his fellow board members' sentiments and noted the efforts made with the process had been thoughtful and very thorough. He addressed issues related to stormwater retention, traffic and the walkshed radius. He talked about connectivity, nodes of development and shared parking benefits that would be achieved with the framework created from the Ordinance. Mr. Waugh addressed parking study concerns for the area and stated that every development application would go through the same process and the Ordinance is the framework of the Overlay which would allow those applications to get into the process.

Board member Laura Walda stated that it had been a great experience to be a part of the process and to see how serious everyone on the Committee had taken their roles and provided a diverse array of opinions. She stated that the Committee had come up with a product that created the best framework that could be put together and she was pleased to be a part of the project.

Board member Christian Swann stated that an Overlay was by no way an entitlement of any kind and stated that each project submitted would be scrutinized. He stated that the document served as a great balance of progressive and exciting new development over time, but maintaining the ambiance that one feels when arriving in Winter Park. He stated that as a resident, he felt the Ordinance would be a great basis and could be replicated in different corridors throughout Winter Park and Greater Orlando. He urged his fellow board members to support and motion to approve the Ordinance.

Chairman Johnston stated that he was a businessperson who focused on profit and loss. He stated that he believed the public/private partnership that would be put in place would allow the free market to step in and invest capital and assume the risk that the government could not. He talked about the lack of development along Orange Avenue and the Progress Point property and stated that there was a need for the private development market to work with the City to improve conditions in the area. Mr. Johnston stated that the Ordinance was a framework to guide development and felt the Ordinance should be moved on to the City Commission.

**Motion made by Adam Bert, seconded by Laura Turner to approve CPA #19-04 Request of the City of Winter Park to amend Chapter 58, Land Development Code, Article I, "Comprehensive Plan" so as to adopt new Goals, Objectives, and Policies of the Future Land Use element to establish the Orange Avenue Overlay District.**

**Motion carried unanimously with a 7-0 vote.**

**Motion made by Laura Turner, seconded by Owen Beitsch to approve ZTA #19-05 Request of the City of Winter Park to amend Chapter 58 "Land Development Code", Article III, "Zoning Regulations" so as to adopt a new zoning district Section 58-83 Overlay Districts (OD) with the following amendments:**

- 1. Page 17 - Meaningful Open Space: Modified changes to say, "Existing park space shall not count toward required open space" taking out references to sidewalk and potential rights-of-way as counting towards open space requirements.**

2. Page 21 - Variances: Add reference to variance criteria defined in other sections for the land development code, specify specific chapter in which variances are contained as was recommended by the City Attorney
3. Page 31 - Road Closures remove the word “or”
4. Page 36/37 - Enhancement Matrix - CT1 and CT2 Trail: Staff to modify language to allow trail to meander through property as long as it extends the entire length of the properties for future trail locations.

Motion carried unanimously with a 7-0 vote.

# ORANGE AVENUE



OVERLAY DISTRICT

CITY OF WINTER PARK, FLORIDA



## **Special Thanks:**

### **City Commission**

Mayor Steve Leary  
Vice-Mayor Greg Seidel  
Commissioner Carolyn Cooper  
Commissioner Sarah Sprinkel  
Commissioner Todd Weaver

### **Planning & Zoning Board**

Chair Ross Johnston  
Vice-Chair Ray Waugh, P.E.  
Laura Turner, AICP  
Dr. Owen Beitsch, AICP  
Chuck Bell  
Christian Swann  
Laura Walda  
Adam Bert

### **Orange Avenue Overlay Steering Committee**

Phil Kean, AIA – Mayor Leary Appointee  
Sally Flynn – Vice-Mayor Seidel Appointee  
Michael Dick – Commissioner Cooper Appointee  
Lamont Garber – Commissioner Sprinkel Appointee  
Sheila De Ciccio – Commissioner Weaver Appointee  
Laura Turner, AICP – Planning & Zoning Board Representative  
Bill Sullivan – Vision Winter Park Representative  
Lambrine Macejewski – Community Redevelopment Agency Advisory Board Representative  
Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative  
Jill Hamilton Buss – Transportation Advisory Board Representative  
Bill Segal – Economic Development Advisory Board Representative

### **City of Winter Park Staff**

Kim Breland – Planning & Community Development  
Allison McGillis, AICP, CNU-A – Planning & Community Development  
Kyle Dudgeon, AICP – Community Redevelopment Agency & Economic Development  
Nick Lewis – Planning & Community Development  
John Nico – Planning & Community Development  
Russ Carol – Information Technology  
Bronce Stephenson, MPA – Planning & Community Development

### **Consultants**

Kimley-Horn (Traffic/Mobility/Renderings) & Zyscovich Architects (Massing Studies)



# SECTION ONE

# BACKGROUND

## HISTORY

Orange Avenue in Winter Park traces its roots to the horse and buggy days of yesteryear, when it was called the Orlando-Winter Park Highway, and Denning Drive was known as Maitland Avenue. Some of the original names associated with ownership of Orange Avenue properties are well known in Winter Park even today - the Capen family, Loring Chase, Oliver Chapman, Swoope, the Knowles family, JE Harper and Frank Fairbanks. Early business involvement by such important companies as Overstreet Turpentine Company and the Winter Park Company reflected the importance of Orange Avenue to the growing City of Winter Park.

Today, the area is a menagerie of assorted businesses, with the quaint charm of the area known as Designers Row, the Winter Park Playhouse as a great cultural asset, and the Rollins Baseball stadium. Additionally, the area has a number of restaurants, boutiques and business offices. Jewett Orthopedic is a key presence along Orange Avenue and the largest employer in the area. But, as new investment has been made on smaller properties, many of the older properties and larger properties have further declined and seen little to no investment. Currently, of the nearly 75 acres within the Orange Avenue Overlay District, at least 20 acres are vacant, undeveloped, or not utilized. Many properties have been purchased just for the available parking, leaving the building empty. The lack of new investment and the numerous larger properties that have fallen into further decline have certainly negatively impacted the small businesses in the area and in many people's eyes, the area is simply a cut-through for traffic, creating no life on the street.

But the bones are there for Orange Avenue to be the next great Place in Winter Park. There exists a great mix of small businesses, restaurants, design firms, boutiques and other retailers that can serve as the foundation on which to build a special Place. A place to bring your family and friends. A place where students can grab a cup of coffee and study. A place where you can safely walk or ride your bike. A place where you can escape to the tranquil beauty of nearby Mead Botanical Garden. A place to spend a whole day shopping, relaxing, enjoying food and drink, seeing old friends and making new ones. With the vision, passion, careful planning and boldness that have created the Winter Park that this community loves, Orange Avenue can be the newest jewel in the crown of Winter Park.

### **Why Create the Orange Avenue Overlay?**

It is the intent of the Orange Avenue Overlay (OAO) District to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This Overlay District is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls.

The City of Winter Park has discussed the possible redevelopment of Orange Avenue for many years, but little has been achieved. The City Commission made the creation of a Mixed-Use Overlay District a priority in the Comprehensive Plan and also directed staff to create a process that would bring forward a Mixed-Use Overlay District.

### **Overlay Districts**

The first question to many is, what is an Overlay District?

An Overlay District is planning tool that can provide the flexibility to achieve a vision for an area that would not be able to be created with basic inflexible zoning codes. An Overlay District is a geographically designated area where certain additional codes are overlaid atop underlying zoning district(s). In many cases, the new codes adopted in the overlay replace the codes that are dictated in the underlying zoning districts, so it essentially acts as a new zoning code for a particular area. 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.

## **Placemaking**

The concept of Placemaking has been a major component of the Orange Avenue Overlay creation. By using the community input that was provided as a part of the Vision Winter Park process, the process of updating the Comprehensive Plan, and from the Orange Avenue public input process, a vision for the area began to take shape.

Placemaking can be defined 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.

## **GOALS**

### **The Goals of the Orange Avenue Overlay District are to:**

- a. Encourage sustainable development and redevelopment that will become a long-term asset to Winter Park;
- b. Create and enhance connectivity to the surrounding neighborhoods and promote connectivity to all of Winter Park;
- c. 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;
- d. Create public improvements that will benefit all residents and visitors of Winter Park;

- e. Provide the opportunity for existing businesses and properties to improve their structures, their businesses and their building facades;
- f. 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;
- g. Create better connectivity to and the promotion of Mead Botanical Garden;
- h. Meet the goals of the Community Redevelopment Agency (CRA) in the areas of the Overlay that fall within the CRA boundary;
- i. 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;
- j. Establish regulations that protect the investment of existing and new businesses from unattractive, unsustainable and non-compatible uses;
- k. Ensure the area is visually pleasing and creates place that encourages community and is developed in a coordinated fashion;
- l. Follow the principles of the Vision Winter Park, Comprehensive Plan and Sustainability Plan documents;
- m. Encourage mixed-use development;
- n. Give special attention to landscaping, architectural detail, meaningful open space, buffering, signage, lighting, and building setbacks;
- o. Encourage architectural creativity, quality and variation to create a unique district with its own identity;
- p. Promote the history of Winter Park and the Orange Avenue area, including the area known as Designers Row;
- q. Keep the traditional scale within the district;
- r. Create an Arts & Cultural Corridor;
- s. Protect and promote Historic architecture, where it exists in the area;
- t. Attract new businesses, retain small businesses and encourage locally-owned businesses in the Orange Avenue area;

## **VISION WINTER PARK**

The Winter Park Visioning process and subsequent document that was created in 2016 have been guiding principles for the creation of this Overlay District. The Vision Winter Park Document states the following:

**Our Vision** - Winter Park is the city of arts and culture, cherishing its traditional scale and charm while building a healthy and sustainable future for all generations.

### **Vision Themes:**

- Cherish and sustain Winter Park's extraordinary quality of life.
- Plan our growth through a collaborative process that protects our city's timeless scale and character.
- Enhance the Winter Park brand through a flourishing community of arts and culture.
- Build and embrace our local institutions for lifelong learning and future generations.

## **COMPREHENSIVE PLAN**

The Winter Park Comprehensive Plan, adopted by the City Commission in 2017, has a number of goals, objectives and policies that have guided to the creation of the Orange Avenue Overlay District. The following are applicable:

- **GOAL 1-1: MAINTAIN THE CITY'S CHARACTER**  
Ensure the City of Winter Park maintains its traditional scale and low density residential character while at the same time providing for the most effective provision of services; to promote sustainable community development now and for future generations; to promote conscientious economic development in appropriate locations, to promote quality infill and redevelopment which strengthens the character of the City, to protect sensitive natural areas by directing growth to environmentally appropriate areas, and prohibit those uses which are incompatible.
- **OBJECTIVE 1-1.2: Development Scale**  
Encourage development that fosters pedestrian connectivity, appropriate design and landscaping with building mass and scale.
- **Policy 1-2.4.14: Mixed Use Designation**  
Within one year from the adoption of this Comprehensive Plan, the City will create a mixed use overlay or district for commercially designated parcels that would be intended to facilitate design and use flexibility to

achieve pedestrian scale, innovative transit connectivity and maximizing open space within a commercially viable and architecturally desirable design. Complementary uses may include, but are not limited to retail, entertainment, office, civic and residential uses. The City shall also prepare companion land development code regulations that implement the proposed mixed use overlay or district simultaneously with any policy amendments related to this overlay or district. All policies related to this overlay or district will be subject to a Comprehensive Plan amendment.

- **OBJECTIVE 1-4.1: Maintain the Economic Vitality of the City**

Plan and manage the City's growth and redevelopment to promote an attractive business climate while protecting the residential character of Winter Park.

- **Policy 1-4.1.3: Redevelopment Along Major Corridors**

The City will monitor the redevelopment of its major commercial arterials including Orlando Avenue, Lee Road, Fairbanks Avenue, Aloma Avenue, and Orange Avenue to determine trends, employment activity, high areas of redevelopment activity and compatibility and work to create policies and implementation tools to ensure quality.

- **Policy 1-5.2.5: Ensure Compatible Size, Form & Function are Achieved in Areas Designated Medium- and High-Density Residential**

The City shall apply regulatory measures within Medium and High-Density Residential designated areas in order to avoid land use compatibility conflicts due to dissimilar building types, size, mass, articulation, height, and other design features or ancillary loss of views, privacy, and access to light, as well as noxious impacts of traffic, noise, adverse changes in drainage patterns, and other negative effects of incompatible development.

- **Policy 1-5.2.6: Investigate Policies for Density Issues Surrounding, Multiple Family Structures.**

The City shall investigate approaches for revising land use policies addressing renovation or redevelopment of all multi-family regulations for apartments and condominiums, including their size, scale, design aesthetics and amenities.

- **OBJECTIVE 1-5.4: Development/Redevelopment of Multi-Family Residential, Commercial, Office & Mixed-Use Areas.**

The City shall provide for development and redevelopment of its commercial and office areas when compatible with the scale and character the surrounding area context.

- **Policy 1-5.4.1: Redevelopment of Areas Designated Commercial & Office/Professional**

The City shall consider adopting architectural design review guidelines along major transportation corridors, including form-based code, identify building types and/or structural design features that shall be encouraged and those to be discouraged due to their adverse impacts on property in the immediate area.

- **Policy 1-5.4.2: Improve Design Procedures & Resources and Architectural Review**

The City shall periodically update approved design guidelines to enhance the quality of architectural design, achieve more compatible relationships in the design of buildings, avoid unsightly appearance, avoid inordinate contrast in building mass, scale, height, articulation, and other design features.

- **Policy 1-5.4.7: Gateway Plan for Development or Redevelopment of Properties**

The City shall create Gateway Plans and design studies for the potential redevelopment of the major transportation corridors leading into Winter Park to include:

- 1. West Fairbanks Avenue from I-4 east to Orlando Avenue;
- 2. Orlando Avenue from the southern City limits to the northern City limits;
- 3. Aloma Avenue from the City limits west to Lakemont Avenue;
- 4. Orange Avenue from Fairbanks Avenue to Orlando Avenue;
- 5. Lee Road from I-4 to Orlando Avenue.

- **Policy 1-5.4.8: Enhance the Appeal & Improve the Property Values of Certain Gateway Corridor Entrances into the City of Winter Park**

In order to establish, maintain and enhance the character and aesthetic appeal of certain important gateway corridor entrances into the City of Winter Park, and to increase the property values along such gateway corridor entrances to the City, in order to distinguish those gateways as attractive entrances into the City, the City shall, prohibit certain business types along the frontage of those roadway corridors to exclude any new or used car sales businesses, auto repair businesses, resale

stores or pawn shops, vapor lounges or smoke shops, adult oriented businesses, gas/service stations and convenience stores.

- **GOAL 1-7: COLLABORATIVE PLANNING PROCESS**

The City will embrace a collaborative planning process that evaluates and monitors the Goals, Objectives and Policies outlined in this Plan and enhances the community.

- **Policy 1-F-3: Prohibit Certain Business Types in Mead Garden Planning Area in Order to Preserve the Character of the Orange Avenue & Fairbanks Avenue Gateways to Winter Park**

The City shall prohibit certain business types within this Mead Garden Planning Area along Orange Avenue and Fairbanks Avenue including new or used car sales, new auto repair businesses, vapor stores and smoke shops, resale stores or pawn shops, tattoo businesses, adult oriented businesses, fast food businesses and convenience stores, as this portion of Orange Avenue and Fairbanks Avenue are gateways into the downtown and central business district of the City of Winter Park.

- **Policy 1-F-4: Support Restoration of Mead Botanical Garden.**

The City shall encourage the restoration of Mead Botanical Garden.

- **Policy 1-F-17: Orange Avenue Design Guidelines.**

The City shall consider design guidelines for the Orange Avenue corridor from Orlando Avenue to Fairbanks Avenue in order to protect and maintain the scale and appearance of this gateway corridor.

- **GOAL 2-1: BALANCED TRANSPORTATION SYSTEM.**

The City of Winter Park desires to ensure a balanced and safe transportation system that promotes a walkable, bicycle-friendly environment that encourages transit as well as ensures efficiencies along the roadway network.

- **OBJECTIVE 2-1.1: Safe & Balanced Multimodal System.**

The City shall create a Mobility Plan that promotes and supports the broad transportation needs of the community.

- **Policy 2-1.1.1: Multimodal Activities.**

The City defines mobility as the provision of multiple opportunities or choices in transportation modes for travel within and to/from the City through a multi-modal transportation system. The general hierarchy of modes is 1) walking, 2) bicycling, 3) transit (bus and rail), and 4) private vehicles. The primary focus or overall mobility strategy is on the minimum provision of facilities for all modes and the connectivity based

upon the mode hierarchy. Where adequate facilities exist for all modes, the City will prioritize enhancing the quality and integration of the facilities based upon the mode hierarchy.

- **Policy 5-1.1.3: Urban Form & Pattern**

The City shall integrate land use patterns and transportation systems by assuring that character, design, and intensity of development is compatible with adjacent transportation infrastructure and services. The City shall continue to facilitate an urban form following planning concepts inherent to neo-traditional neighborhood planning philosophies (i.e., grid system street pattern, residential and non-residential uses within walking distance, public open spaces and plazas).

- **Policy 5-2.6.4: Location of Park & Open Space Dedications**

Where park and open space dedications required of new development are placed on-site, they shall be placed in areas that provide the greatest protection to and preserve the most environmentally important and sensitive.

- **GOAL 6-1: PROVIDE ADEQUATE RECREATION AND OPEN SPACE**

By preserving, maintaining and enhancing a quality system of parks, open space and recreational facilities which satisfy the needs of the current and future residents of Winter Park.

- **OBJECTIVE 6-1.1: Provision of Public Park Land**

The City of Winter Park shall assure that appropriate amounts of park land and open space will be within the public domain so as to meet the standards of this plan.

- **OBJECTIVE 6-2.2: Integration of Neighborhood Design With Parks & Open Space**

Neighborhoods shall be planned and designed with parks and open space that provide available recreation opportunities for nearby residents.

- **Policy 6-2.2.1: Park Accessibility to Neighborhoods**

Neighborhoods shall be planned with park lands and open spaces intermixed with residential development and accessible within walking distance to residents. Park land within neighborhoods shall be designed to foster opportunities for social interaction and shall serve as a focal point for the surrounding residential areas.

- **OBJECTIVE 6-3.4: Interconnect Park System with Recreation & Transportation Trails and Paths**

The City shall provide a park and open space system to interconnect parks by pedestrian and bicycle path lanes.

- **Policy 6-3.4.1: Link Parks & Public Open Space**

The City shall provide bikeways, where possible and where public safety permits, to link open space and parks both internally and regionally to Winter Park. New park location and design should take into consideration the presence or feasibility to the park with other City facilities via bicycle paths and lanes.



## **SECTION TWO**

# **PROCESS**

### **Work Performed In-House**

What is unique about this process is that in the past, the City has relied on outside consultants to perform most of the large-scale planning initiatives. These processes don't always allow for as much public participation and there is a feeling in the community that by the time the draft document is presented, there is no real opportunity to change the language. Additionally, the work was performed by people who may not live and work in the community, and may not have the insight of those who know Winter Park best.

That is why this process has been so different. This process was done completely in-house, with City staff from various departments involved, but led by the City of Winter Park Planning and Community Development team. Many studies have been performed on Orange Avenue in the past, but no actual codes or actionable documents had been created. The desired outcome for this process was to finally create updates to codes and planning documents that would actually stimulate thoughtful development.

Though the Planning team has great insight into the community, staff wanted an implementable plan that would be developed by Winter Park, for Winter Park. Therefore, a process was created that would be guided by the public from the start to the finish.

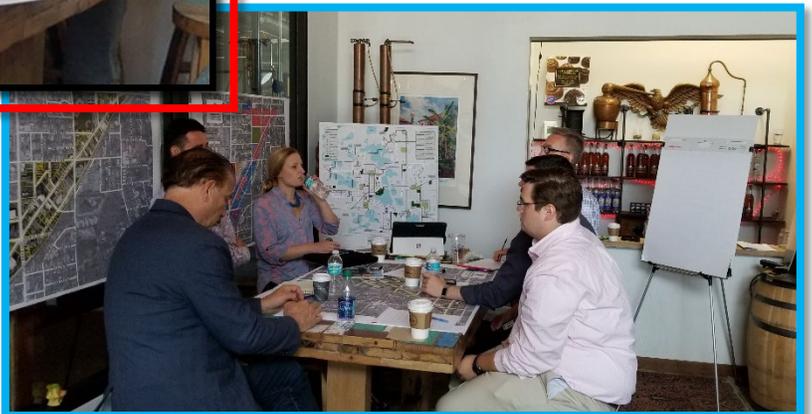
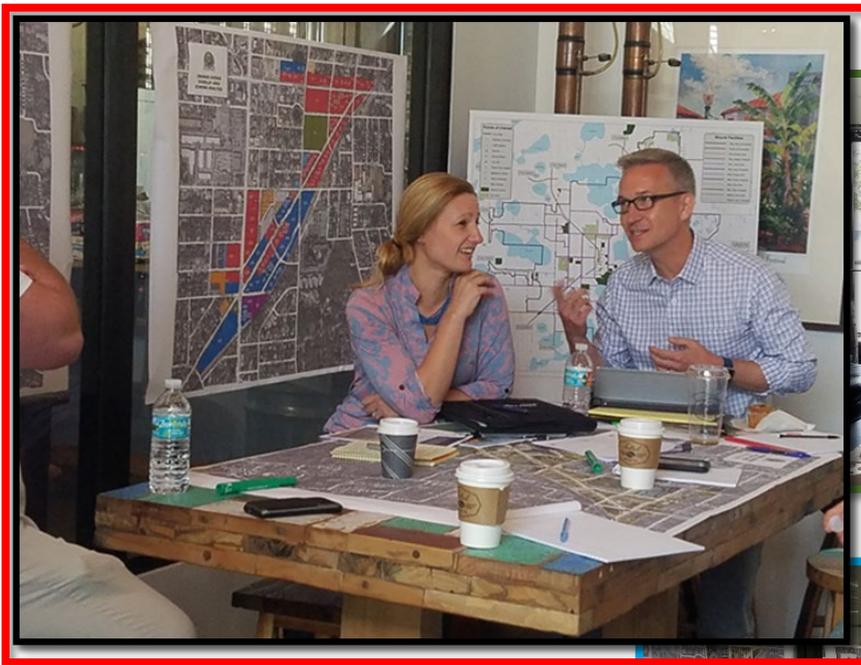
Staff utilized a Transportation Consultant, Kimley-Horn, to perform traffic assessments, a study of future impacts of development and to design for the optimization of intersections in the area. They were also tasked with looking at ways to improve safety for pedestrians, cyclists and vehicles in the area. Additionally, staff utilized Architectural Consultant, Zyscovich & Associates to create models of different development scenarios to study massing and how

to incorporate nodes of intensity that would create parking solutions, while keeping the traditional and walkable scale of the area.

This Overlay process represents more than 16 months of work by City staff.

## Design Charette

Staff held an Orange Avenue Charette in the breakout room on May 30, 2019 at the Bear & Peacock Brewstillery, located in the State Auto Building on Orange Avenue. Staff and consultants met for an entire day to discuss the challenges and opportunities of the Orange Avenue Overlay. The topics included traffic, open space, parking, architecture, placemaking, mobility and much more. The outcome of the Charette was the framework for the Overlay District Plan that would be completed via the public process.



# PUBLIC INPUT

The input of the Winter Park community has been at the forefront of this planning initiative. A great deal of public input had been gathered by past studies and initiatives such as Vision Winter Park or the updating of the Comprehensive Plan, but staff would start again, with the first step being public input as a part of this Overlay process.

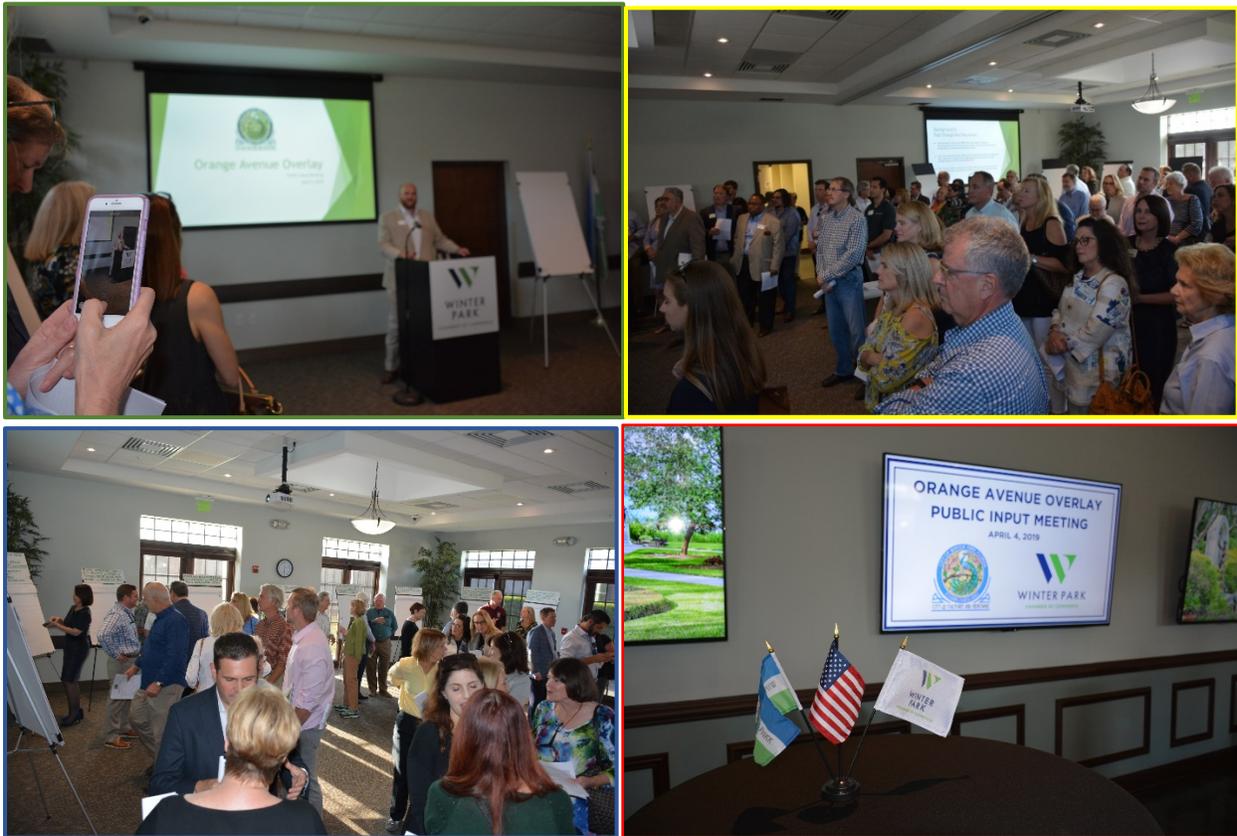
## First Public Input Meeting

Staff advertised and held a public input meeting on March 25, 2019, at the Community Center. Rather than give a presentation on what staff hoped to accomplish, this session simply had attendees give their written input on a series of 16 questions and any other input they wished to provide. Approximately 150 citizens attended this meeting and significant input was provided.



## Stakeholder (2<sup>nd</sup>) Public Input Meeting

A second public input meeting was held on April 4, 2019, that centered around gathering stakeholder input from the property owners who had properties within the Overlay area, though the public was also invited to attend. The meeting was held at the Welcome Center and after a brief introduction by staff, the attendees asked questions of staff and then were invited to once again provide their written input to the same questions from the first input meeting. Over 100 people attended this second input meeting.



## **Continued Input**

To increase the amount of public input, staff created a survey from the questions created for the public input meetings, and for 2 months, asked residents to access the survey from the City website and provide their input.

Additionally, staff created [OrangeAve@cityofwinterpark.org](mailto:OrangeAve@cityofwinterpark.org), an email address that has remained active throughout the process to provide the public the opportunity to provide any and all input they would like.

It has remained the intent of staff to create a process that provided enough time for anyone who wanted to be involved, could be actively involved.

On top of public input meetings, staff has held meetings with stakeholders, property owners, neighborhood groups, condo associations, stakeholder groups and individual citizens throughout the months of the Overlay process. Altogether, staff met with groups or individuals that has consisted of hundreds of hours of additional opportunity to hear from the public about their vision for Orange Avenue.

## **Community Outreach**

Staff continued to try to utilize creative approaches to get citizen input and to provide the public with as much education as possible about what the Orange Avenue Overlay process was about, and how they could continue to provide input. Press releases were created for each step of the Overlay process.

## **Informational Videos**

In a unique approach to the Orange Avenue Overlay District planning initiative, staff created a number of informational videos that explained what some of the key topics were, to make sure that the public had a clear understanding of what the Overlay process was all about.

The first video was about Placemaking and how a community could cast a vision, and then make that vision become a reality.

Website link to video: <https://vimeo.com/368874390>

The second video was about Overlay Districts and how they could be a helpful planning tool. The video used everyday items to depict different elements of the built environment and how Overlay Districts can create positive change.

Website link to video: <https://vimeo.com/370141760>

The third video was about Mixed-Use. The video had a number of Orange Avenue Overlay Steering Committee members and Planning & Zoning Board members discussing their favorite mixed-use areas in Winter Park.

Website link to video: <https://vimeo.com/371477044>

The fourth video showed the public process and the public input that given throughout the Overlay process. That video will become available after the January 13, 2020 City Commission meeting.

## **Orange Avenue Community Walkshop**

Another unique opportunity that was created to invite the public to provide input, and to see the Orange Avenue area from the pedestrian viewpoint was the Orange Avenue Overlay Walkshop that was held on August 20, 2019. The walkshop invited everyone in the community to walk as a group throughout the area that was being considered, stopping at 10 different locations to have meaningful discussions and to share observations. Approximately 50 people attended the walkshop, and the attendees found it to be a worthwhile and new type of planning input opportunity.



## **Chamber of Commerce Presentations**

On July 15, 2019, Planning Director Bronce Stephenson, presented the Overlay District process and plan to a sold-out crowd at Winter Park Chamber of Commerce event, Good Morning Winter Park. The presentation was also live streamed to social media audiences.



On November 6, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Government Affairs Committee of the Chamber of Commerce.

## **Winter Park Land Trust Presentation & Discussion**

On October 3, 2019, Senior Planner Allison McGillis and Planning Director Bronce Stephenson presented the Overlay District to the Winter Park Land Trust. Staff has also held multiple discussions and meetings with various members of the Winter Park Land Trust.

## **Additional Public Outreach**

- On December 2, 2019, staff presented the Overlay District language to the Winter Park Rotary Club.
- On December 18, 2019, staff held a public information meeting in the lobby of the Gateway Plaza building at 1201 Orlando Ave for property owners within the Orange Avenue Overlay area. Notice was sent to all property owners within the Overlay District and the public was welcomed to attend as well.
- On December 21, 2019, staff had a booth at the Winter Park Farmers Market to be available to discuss the Orange Avenue Overlay District with anyone who has questions, concerns or suggestions. Staff was at the booth from 7AM until 1PM and had the opportunity to meet with dozens of community residents.

## **Commitment to Public Input, Education & Involvement**

At the end of this Overlay process, there have been 19 publicly advertised meetings where the public was invited to attend, provide input, comment or ask questions. Additionally, there have been 2 worksessions open for the public to attend by the Planning & Zoning Board. The City Commission has held 12 work sessions that were open for the public to attend.

## **Community Support of the Overlay Process**

*"People make Winter Park what it is and what it hopes to be. The Orange Avenue Overly District process took urban planning out of City Hall on to the streets. The expertise of city staff was joined by a parade of highly skilled volunteers, business owners, and interested citizens. Walking the pavement, seeing everyday activity, enhanced the urban planning process like never before."*

**- David A. Odahowski**

*President & CEO, Edyth Bush Charitable Foundation*

*"As the principal representative of one of the largest landowners with property in the proposed overlay district, I received the news of the Orange Avenue review with great skepticism based on the myriad outside consultants and visioning processes of the past. Many in number but few in result, the past processes largely seemed to leave us only a large expense and a broad brush proposal of "here's what you should do," based largely on comparisons to other cities that are not matches for Winter Park. However, my skepticism has turned to optimism. This process, for the first time taking into account local subject matter experts, the public (and most specifically, those likely to be most affected by the changes) and the landowners themselves, has yielded a phenomenal collaborative and engaging environment that has the chance to offer meaningful change in some desperately needed areas. The City planning staff should be commended for their vision and effort to date to make this a reality."*

- **Frank A. Hamner**

*The Law Offices of Frank A. Hamner, P.A.*

*"I have been involved in several planning initiatives over the past 20 years on Orange Avenue. The current initiative is taking a more holistic, community wide approach than I have experienced in the past. The changes on Orange Avenue, if any, will radiate to the surrounding areas and consideration of how all areas can coalesce and benefit in an integrated fashion, is a positive change to the traditional planning process."*

- **Stephanie Henley**

*Principal, Beasley & Henley Interior Design*

## **ORANGE AVENUE OVERLAY STEERING COMMITTEE**

Staff requested that the City Commission allow for the creation of a Steering Committee, to represent the public and to guide the development of the Overlay language. The City Commission adopted a Resolution that created the Orange Avenue Overlay Steering Committee. The Resolution stated:

“WHEREAS, in accordance with Chapter 2, Section 2-48(n), City of Winter Park Code of Ordinances, the City Commission hereby creates a temporary eleven (11) member Orange Avenue Overlay Steering Committee for the purpose of evaluating the potential creation of an Orange Avenue Overlay District and associated changes to the Land Development Code and Comprehensive Plan and making recommendations concerning the same to the City Commission.”

### **Orange Avenue Overlay Steering Committee Roster:**

The Steering Committee had a citizen appointed by the Mayor and each Commissioner, plus a representative from Boards and Committees that had close ties to the creation of an Overlay District. The Committee consisted of the following members:

- Phil Kean, AIA – Mayor Leary Appointee
- Sally Flynn – Vice-Mayor Seidel Appointee
- Michael Dick – Commissioner Cooper Appointee
- Lamont Garber – Commissioner Sprinkel Appointee
- Sheila De Ciccio – Commissioner Weaver Appointee
- Laura Turner, AICP – Planning & Zoning Board Representative
- Bill Sullivan – Vision Winter Park Representative
- Lambrine Macejewski – CRA Advisory Board Representative
- Ben Ellis, P.E. – Keep Winter Park Beautiful & Sustainable Board Representative
- Jill Hamilton Buss – Transportation Advisory Board Representative
- Bill Segal – Economic Development Advisory Board Representative



## **Steering Committee Meetings**

Over 26 weeks, the 11-member Steering Committee held a total of 13 meetings (including the walkshop), which invited the public to attend and allowed for public comment at each meeting. The Steering Committee covered a variety of topics over their extensive meeting schedule. The Committee voted on the following language that established their goals:

*"The Steering Committee shall guide code language for the successful implementation of the Orange Avenue Overlay. The language shall incorporate the city's Vision and Comprehensive Plan goals of creating a mixed-use district and a gateway into Winter Park. The language shall enhance the Orange Avenue area identity and experience, while increasing safety and mobility. It shall provide enhanced and flexible development standards to create the opportunity for positive and sustainable public and private improvements and redevelopment of the area. The Committee shall make a recommendation of the draft language to the City Commission for final approval."*

**Some of the highlights and major topics that were covered and discussed in great detail during the Steering Committee process included:**

- In-depth analysis of the current issues that have caused the economic stagnation of the Orange Avenue area.
- Discussion of the extensive public input that was collected throughout the process.
- Discussion of Placemaking and how to create a cohesive vision for the area based on the public input provided and the discussion of how the current Zoning Code limited the type of development that was envisioned for the area.
- A meeting where small business and property owners were invited to hold a panel discussion. The panelists included Dr. Peter Lemieux, who has a dental practice on Orange Avenue; Fred Thimm, owner and operated of Reel Fish restaurant on Orange Avenue; and Stephanie Henley, owner of Beasley & Hensley Interiors and current property owner along Orange Avenue. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. This meeting provided an opportunity for the Steering Committee and the public to hear from people who see the challenges of the Orange Avenue area every day, many that have negatively affected the successful running of their small businesses.
- Discussion of the current transportation issues in the Orange Avenue area. The Committee voted to create a list of transportation priorities that should be considered when any transportation improvements are considered in the future.
- A meeting where residents from neighborhoods surrounding the Orange Avenue Overlay area were invited to serve as panelists. The panelists included Michael Spencer and Marcus Rozbitsky, from the Orwin Manor neighborhood; Libertad Acosta-Anderson, from Garden Drive located to the west of Mead Botanical Garden; and former Mayor Gary Brewer, from Mead Garden Condominiums. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. Hearing the concerns of the property owners in the area provided a unique perspective on the potential

redevelopment of the area and what challenges the current state of the Orange Avenue area creates for those who live nearby.

- Discussion of the allowable uses and the uses that should not be allowed as the area is transformed into a more walkable and vibrant mixed-use district.
- A meeting where stakeholders who have existing larger developed properties were invited to serve on a panel. The panelists included: Ray Colado, owner of the Gateway Plaza Building (Commerce National Bank); Ed Kania, VP of Business and Finance & Treasurer from Rollins College; and Jon Albert, CEO of Jewett Orthopedic. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. This opportunity provided another perspective of businesses that have larger operations in the area, but still have many issues that affect their operations. They also shared their visions for the development of the area, hoping that more property owners make significant investment or reinvestment on their properties as well
- The Committee discussed the first design and architectural guidelines that would be created for Winter Park development. Those are reflected in the new Orange Avenue Overlay District code language.
- In-depth discussion and analysis of the flooding, traffic and parking shortages that have created the biggest challenges for the Orange Avenue area. The discussion led to the realization that the Orange Avenue codes should take a more modern, intelligent and sustainable view of how parking structures are treated and calculated, with the Committee agreeing that parking garages should not count towards the Floor Area Ratio of a property, as long as certain criteria are met. The discussion also included looking at shared parking arrangements and encouraging the businesses in the area to share parking. The outcome of these discussions are found throughout the new code language of the Orange Avenue Overlay District and in the Development Enhancement Menu included in the code language.
- The Committee discussed the creation of separate subareas and the unique standards that each subarea would have.
- The Committee had the owners of the three properties that are expected to see major redevelopment to for a panel discussion. The panelists included: Randy Knight, City Manager of the City of Winter Park; Michelle

Heatherly, representing Demetree Global; and Frank Hamner, representing the Holler Group. The panelists each answered a number of questions prepared by staff, then had open discussion and answered questions from the Steering Committee. This opportunity to hear from the larger property owners and their vision for the area was very important to the Committee, because so much of the area-wide improvements are dependent on the activation and major investment of these key properties.

- There was significant discussion of the creation of the Development Enhancement Menu, which would allow properties to earn their way towards increased development opportunities by constructing public improvements that would help the small businesses in the area and would create Citywide improvements to connectivity, parks, open space, sustainable practices, arts & culture and more.



## **RECOMMENDATION**

At their final meeting on November 13, 2019, the Orange Avenue Overlay Steering Committee voted 8-2 to recommend approval of the Final Draft language, with minor changes that were discussed at the meeting. The major topic that all members of the Steering Committee could not agree upon was whether or not the City-owned Progress Point property should be developed, to what scale it should be developed, and whether or not it should be used as a park.



## **SECTION THREE**

# **DATA**

### **PARKING**

A major point of discussion throughout the Overlay process has been the opportunity to create new parking solutions that can help an area that has serious need for available parking. Currently, the vacant or unused properties at Progress Point, the former Holler RV site, the former Lombardi's Seafood (Demetree) site and Bank of the Ozarks are the only available off-street parking. These properties are not legally designated for public parking, but have served as the overflow parking relief areas for some time. When these areas are developed and if they are developed without providing some available space for public and/or shared/leased parking use, the severe parking shortage will only be exacerbated and the likely outcome is that existing small businesses in the area will not be able to survive.

### **Parking Walkshed**

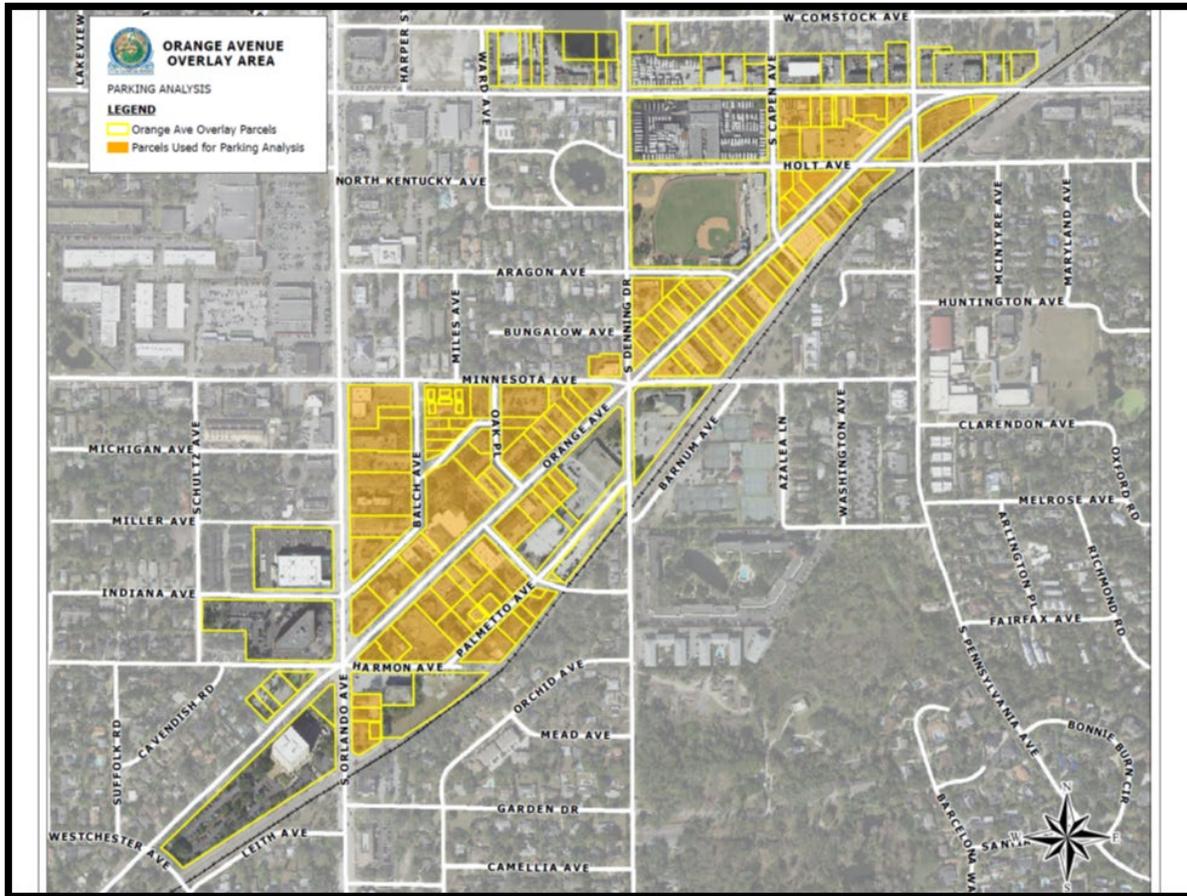
It is important to understand that parking needs to be strategically located within walking distance of destinations. According to Urban Land Institute studies, a typical person has a comfortable walk-shed of about 750 feet from where they park to their destination (see exhibit below). This Orange Avenue process has found that there is the opportunity and desire to create public parking structures or shared parking structures at the former Holler RV site, the Progress Point site and the Demetree (Former Lombardi's Seafood) site. Shown here is the 750-foot walkshed applied to those properties, which uniquely cover the majority of the Orange Avenue Overlay District area. The existing conditions and opportunities just happen to uniquely be set up to meet a 750-foot walkshed from most of the properties within the Overlay area that may need to utilize available parking in area garages.



requirements for development. This study shows that approximately 485 parking spaces would be needed in order to get the businesses in the district to a base level that would meet code. All new development within the district would need to provide their own additional parking.

As a basic exercise that shows how much space would be needed to provide enough parking to make all businesses in the district meet the code minimums and be made "whole", we can assume the following calculations:

- Per code, each standard parking space is required to be designed at a minimum size of 18' x 9', or 162 square feet.
- 162 square feet per space X 485 spaces would result in a need of 78,570 square feet of parking spaces, or 1.8 acres of land.
- Unfortunately, this calculation only includes the parking spaces needed and does not include the aisles and drives needed to access said parking. The average square footage for each parking space, which includes the area needed for aisles and access, is approximately 350 square feet per parking space according to industry standards.
- If we calculate the 350 square feet per space needed, multiplied by the 485 spaces that are currently in deficit, we get a result of 169,750 square feet, or approximately 3.9 acres of parking lot area that would be needed to eliminate the deficit.
- This 3.9 acres of needed area also creates 3.9 acres of additional impervious surface in an area that is significantly underserved with stormwater capacity. Additionally, creating 3.9 acres of surface parking is a very unsustainable design as it adds to the urban heat island effect, creates major stormwater capacity needs and would not add to the aesthetic appeal of the area. Additionally, the area to handle this capacity does not currently exist. Therefore, every opportunity to create shared parking arrangements and the more sustainable use of structured parking must be utilized.



*Note: The square footage and parking from Bank of the Ozarks, Rollins Ballfield, Progress Point and the Holler RV Property were not included in any of these calculations due to currently not being used and no plans for re-use of the properties. Additionally, properties west of Orlando Avenue and north of Fairbanks Avenue were not included because of the existing pedestrian crossing issues.*

*Additionally, only improved (paved) parking areas with legal access were counted.*

As existing conditions in the area show, the current parking deficit is being handled by using the vacant Progress Point property, the vacant Bank of the Ozarks property, the now vacant Holler RV site and the former Lombardi's Seafood site. None of these areas are approved public parking areas, and though they have served as the "relief-valve" for the parking issues of the area, they could become unavailable at any moment. During the Steering Committee panel discussion process with local businesses, the Committee and staff found out that the Jewett Orthopedic Clinic and Surgical Center has plans to expand their administrative offices and create a great deal more surgical suite and recovery space, which will create an additional increase on the demand in the area.

This parking study was conducted as a result of hearing throughout the Orange Avenue Overlay process that there were significant parking deficiencies in the area. This study provides confirmation that if additional parking is not planned for and provided within the area, businesses will continue to suffer and many small businesses will likely not survive. Utilizing the potential investment on the key larger pieces of land at Progress Point, Bank of the Ozarks, the Holler site and the Demetree site is paramount to the potential success and revitalization of the district. By creating surplus parking and the opportunity for shared or leased parking arrangements in newly constructed parking structures on these sites, we have the only realistic solution available, which also happens to be the most sustainable approach. What must be continually considered is that these properties need to be provided with enough leasable space to provide the economic opportunity to construct these new parking structures. If the economics of the development potential on these sites do not work, the area will continue to suffer and little change can be expected. If these key properties were to develop at a smaller scale and potentially only utilize surface parking lots, there would no solutions created.

## **TRAFFIC**

The adverse traffic conditions in the area have been thoroughly discussed and analyzed throughout the development of this plan. A thorough traffic study has been performed by Kimley Horn. The Orange Avenue corridor has very high traffic numbers and is bookended by the most dangerous intersection in town (Orange Ave & Fairbanks Ave) and the 3<sup>rd</sup> most dangerous intersection in town (Orange Ave & 17-92). Additionally, the area between these intersections averages approximately 100 reported crashes a year and the pedestrian/bicycle crashes have a very high rate of injury.

Traffic issues were one of the primary issues discussed by the public during the input gathering of this process. These concerns have been further echoed by business owners and nearby residents. During the walkshop, these traffic concerns became very evident to those who tried to navigate the area on foot during rush hour. Traffic studies and analyses have been performed on the corridor and the reports are included in the project documents. The initial findings, as expected, discussed that speeds in the area are too high, there are no pedestrian safety mechanisms in place, that the intersections do not function well and that the area sees a high volume of crashes. According to data provided by MetroPlan, over 70% (average) of the traffic on Orange Avenue uses the road simply as a cut through. Only 13% (average) of the

trips in the corridor either start or end in the Orange Avenue area. As each new project is proposed, an additional traffic study will have to be performed.

## **STORMWATER**

Another topic that was identified early in the process as a major concern for the area was stormwater and flooding. The input provided from area businesses and residents showed staff the areas of concern. The stormwater analyses showed there are some areas of minor localized flooding that can be fixed by smaller infrastructure upgrades and connections, but revealed no major infrastructure projects appear to be needed.

It became evident that the largest issue related to stormwater was the fact that because the Orange Avenue Overlay area was built out prior to current stormwater standards, the area does not retain, detain or provide stormwater treatment of any kind. The water simply runs off the sites, carrying debris and pollutants and enters the City stormwater system untreated. The majority of the area flows north to Lake Mendsen (water body in MLK, Jr. Park) and then to Lake Killarney. Often, the water flows through Lake Midget which allow overflow of untreated stormwater to enter the aquifer through drainwells. Having untreated stormwater that enters directly into the City's stormwater conveyance system is the largest and most pressing stormwater issue in the area. Therefore, development enhancements are offered to properties that will detour and treat the stormwater that currently harms our system and enters our Chain of Lakes. Additionally, redevelopment of the larger properties in the area will require that these properties hold and treat the stormwater on their sites that currently flows off the site untreated.

As stormwater capacity is not the major issue, but rather the treatment of runoff, this plan offers meaningful solutions to the issues in the area. Additionally, as redevelopment occurs on larger properties, the City can utilize the active construction in the area and around the sites to make some minor system upgrades that should alleviate the smaller areas of flooding.

## Existing and Future Floor Area Ratio Analysis

### Existing Square Footage/Acreage of Current Zoning Districts Within the Orange Avenue Overlay District Area:

- **Commercial** - 1,547,314 square feet (35.52 acres)
- **Office** - 1,004,084 square feet (23.05 acres)
- **Residential** - 197,641 square feet (4.53 acres)
- **Industrial** - 105,415 square feet (2.41 acres)
- **Parking Lot** - 93,571 square feet (2.14 acres)
- **Parks/Rec** - 290,181 square feet (6.66 acres)

***Total - 3,239,909 square feet (74.37 acres)***

### Maximum Achievable FAR & Square Footage Allowed by Current Zoning in the Orange Avenue Overlay District:

- **Commercial Zoning - 60%** (if Mixed-Use) - 928,388 square feet
- **Office Zoning - 60%** (if Mixed-Use) - 602,450
- **Residential Zoning - 110%** - 217,641
- **Industrial Zoning - 100%** - 105,415 square feet

***Maximum Total Square Footage Currently Achievable by Existing Zoning - 1,853,894 square feet***

### Square Footage Allowed at OAO Base FAR:

- **Subarea A - 0.45 FAR** - 24.07 acres (1,048,723 sq ft) @ 0.45 FAR = 471,925 square feet
- **Subarea B - 0.45 FAR** - 6.57 acres (286,189 sq ft) @ 0.60 FAR = 128,785 square feet
- **Subarea C - 0.60 FAR** - 4.39 acres (191,271 square feet) @ 0.60 FAR = 114,762 square feet
- **Subarea D - 1.0 FAR** - 4.61 acres (200,942 sq ft) @ 1.0 FAR = 200,942 square feet
- **Subarea E - 0.60 FAR** - 16.09 acres (701,119 sq ft) @ 0.60 FAR = 420,671 square feet

- **Subarea F** – N/A
- **Subarea G** – N/A
- **Subarea H** – N/A
- **Subarea I – 0.60 FAR** - 1.87 acres (81,805 sq ft) @ 0.60 FAR = 49,083 square feet
- **Subarea J – 1.0 FAR** – 4.22 acres (183,866 sq ft) @ 1.0 FAR = 183,866 square feet
- **Subarea K – 0.60 FAR** - 2.87 acres (125,219 sq ft) @ 0.60 FAR = 75,131 square feet

***Total Square Footage Allowed at Base FAR –  
1,645,165 square feet***

**Square Footage Allowed at OAO Maximum Achievable FAR:**

- **Subarea A - 0.65 FAR** - 24.07 acres (1,048,723 sq ft) @ 0.65 FAR = 681,669 square feet
- **Subarea B – 0.60 FAR** - 6.57 acres (286,189 sq ft) @ 0.60 FAR = 171,713 square feet
- **Subarea C – 1.25 FAR** – 4.39 acres (191,271 square feet) @ 1.25 FAR = 239,088 square feet
- **Subarea D – 2.0 FAR** – 4.61 acres (200,942 sq ft) @ 2.0 FAR = 401,884 square feet
- **Subarea E – 0.80 FAR** - 16.09 acres (701,119 sq ft) @ 0.80 FAR = 560,895 square feet
- **Subarea F** – N/A
- **Subarea G** – N/A
- **Subarea H** – N/A
- **Subarea I – 1.25 FAR** - 1.87 acres (81,805 sq ft) @ 1.25 FAR = 102,256 square feet
- **Subarea J – 2.0 FAR** – 4.22 acres (183,866 sq ft) @ 2.0 FAR = 367,732 square feet
- **Subarea K – 0.80 FAR** - 2.87 acres (125,219 sq ft) @ 0.80 FAR = 100,175 square feet

***Total Square Footage Allowed at Maximum Achievable  
FAR – 2,625,412 Square Feet***

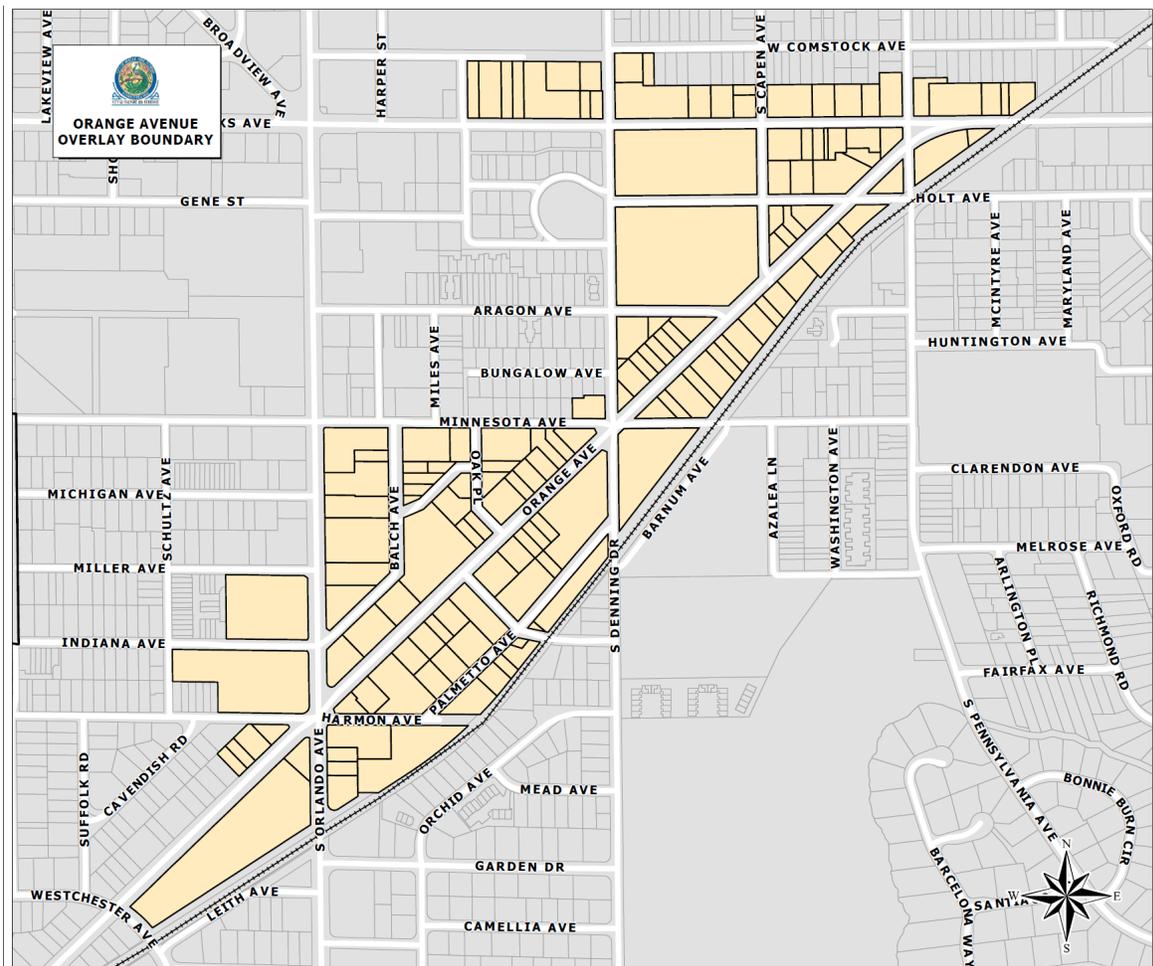


# SECTION FOUR

# OVERLAY DISTRICT PLAN

## DESIGNATION OF THE ORANGE AVENUE OVERLAY

The following map exhibit shall define the extent of the Orange Avenue Overlay District. The regulations found herein shall only apply to the properties located within this defined area.



## **ARCHITECTURAL & SITE DESIGN STANDARDS**

### **Building Height & Setbacks/Stepbacks**

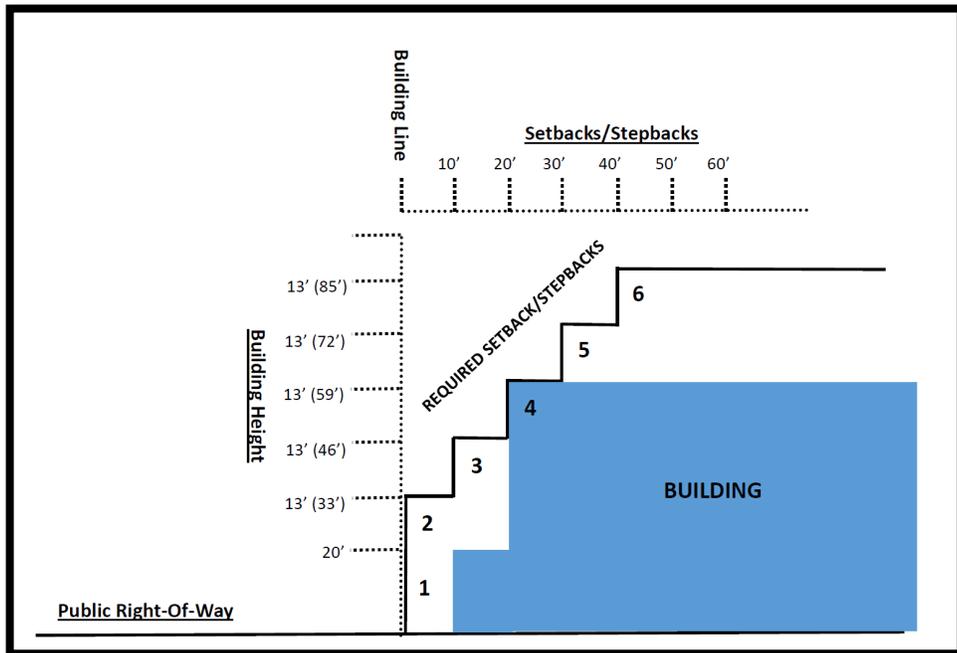
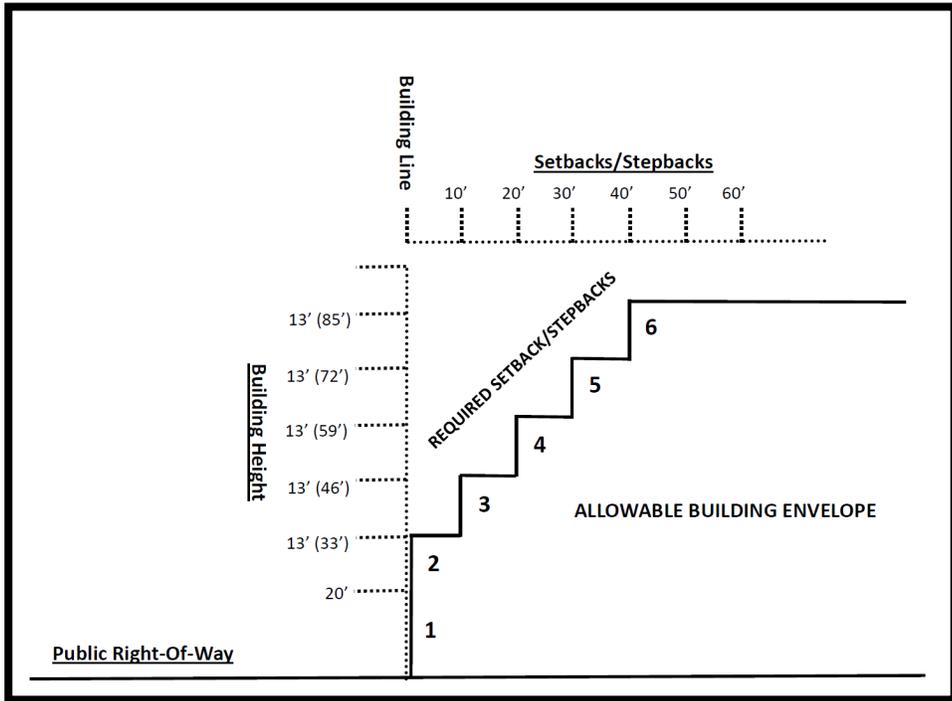
Building Height & Setbacks/Stepbacks. To allow for flexibility in design, but preserving development standards that will not create more massing than necessary, buildings shall be measured in stories. Only floors visible on the exterior of the building shall be counted towards building height (ex. A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

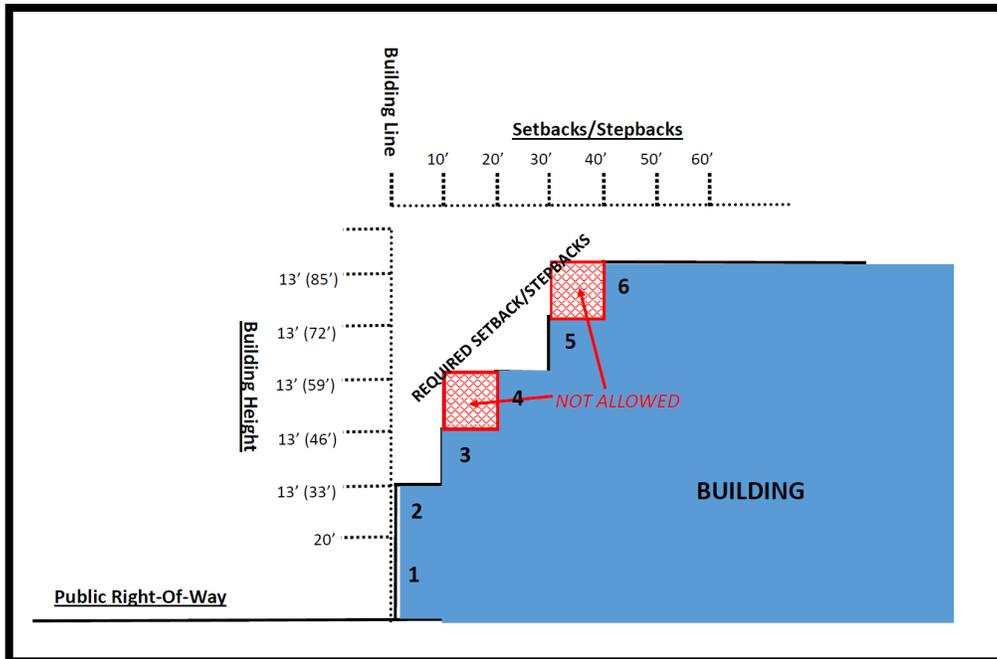
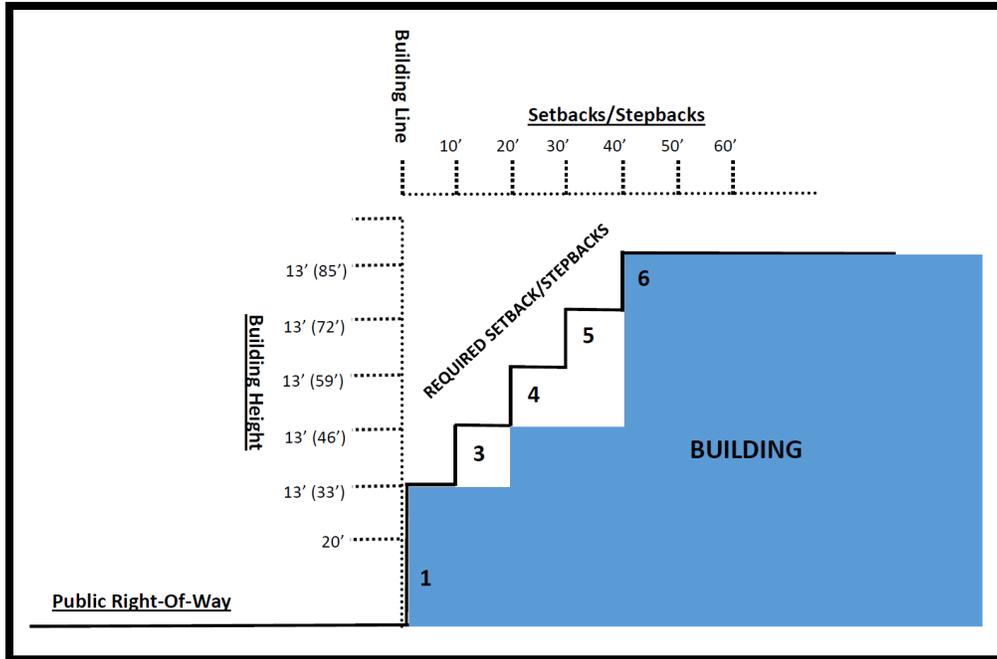
The first floor of any building shall be allowed to be a maximum of 20 feet in height. Mezzanine, balcony or loft levels shall be allowed within the first story, as long as they do not cover more than 30% of the first-floor area and stay within the maximum 20-foot first floor height area. Mezzanines, 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:

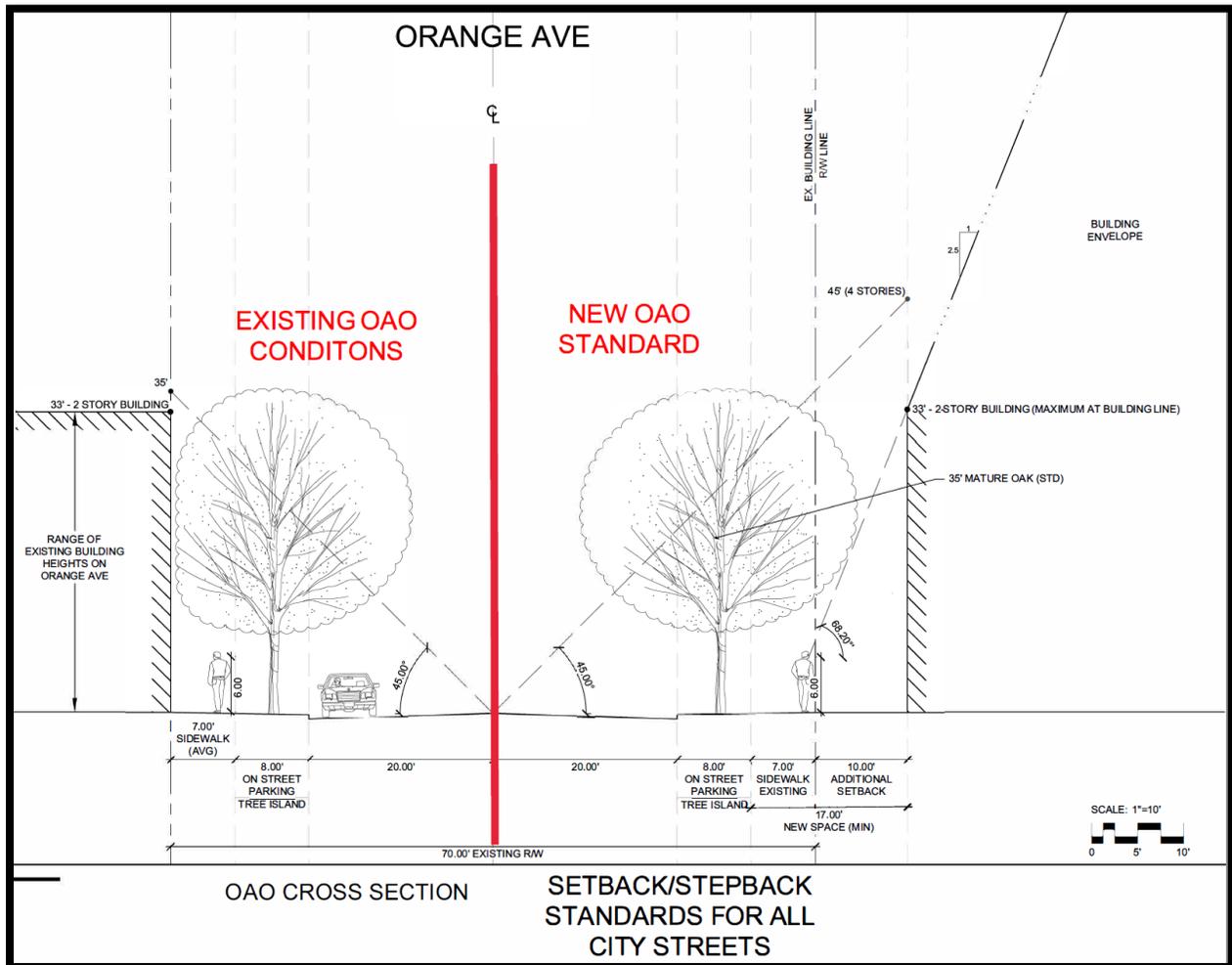
# Building Height, Setbacks/Stepbacks & Building Envelope





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 for City Streets (All Streets Except Fairbanks Ave or Orlando Ave):



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.

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 3-stories of vertical wall without a setback/stepback, substantial building articulation, a cornice treatment or other architectural element which shall create visual and massing relief. All exterior walls shall provide some sort of substantial 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.

## **Corner Treatment**

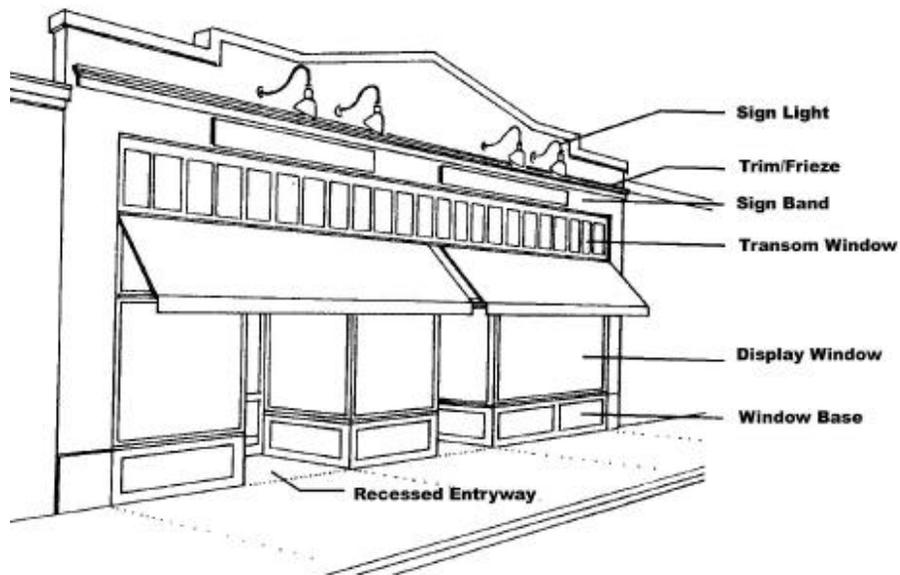
Properties fronting on a street corner shall recognize this special opportunity to provide architectural interest and special treatment at the corner location. These properties have two public facades, which gives the chance for special architectural treatment and detailing that will have the highest impact and visibility, at the corner location.

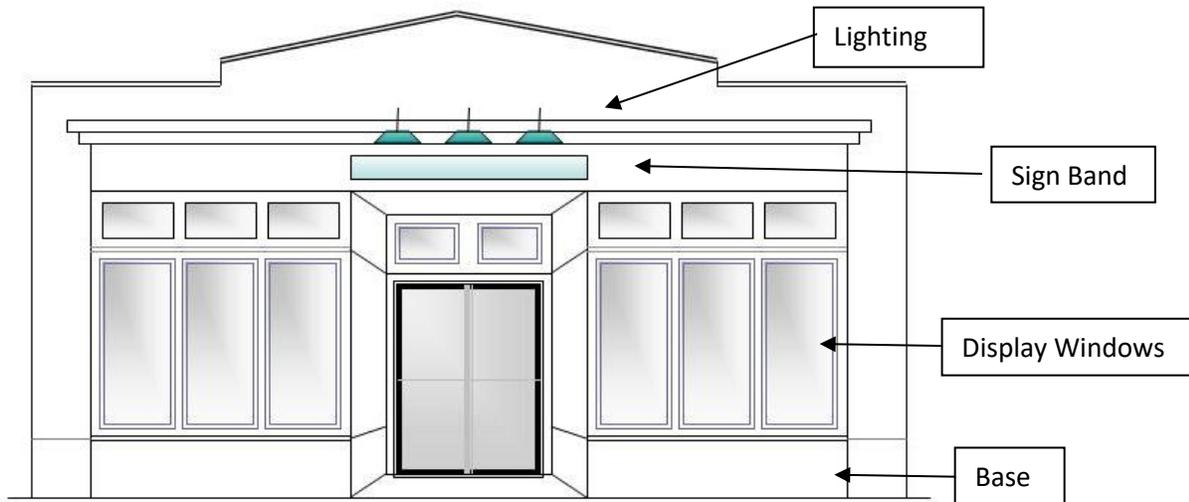
## **Façades**

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 Examples





### **Other Notes on the Treatment of Façades**

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. EIFS shall not be allowed. Stucco, plastics, hardiboard 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.

### **Lower Story**

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.

### **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

### **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 street. Therefore, front building setbacks may be reduced to a distance that creates at least seventeen (17) feet of sidewalk space from the back of curb (not including the landscape bumpouts).

### **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.

## **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.

## **TRANSPORTATION & CONNECTIVITY**

### **Steering Committee Multi-Modal Transportation Recommendations**

The Orange Avenue Overlay Steering Committee was focused primarily on the land use elements of the creation of the Overlay District. Transportation is a major part of the expected change in the area, so the Steering Committee wanted to provide recommendations for future transportation improvements in the area. Any future transportation improvements in the Overlay area will certainly go through an extensive review and design process, but there are a number of recommendations from the Steering Committee that should be considered as a part of any future improvements:

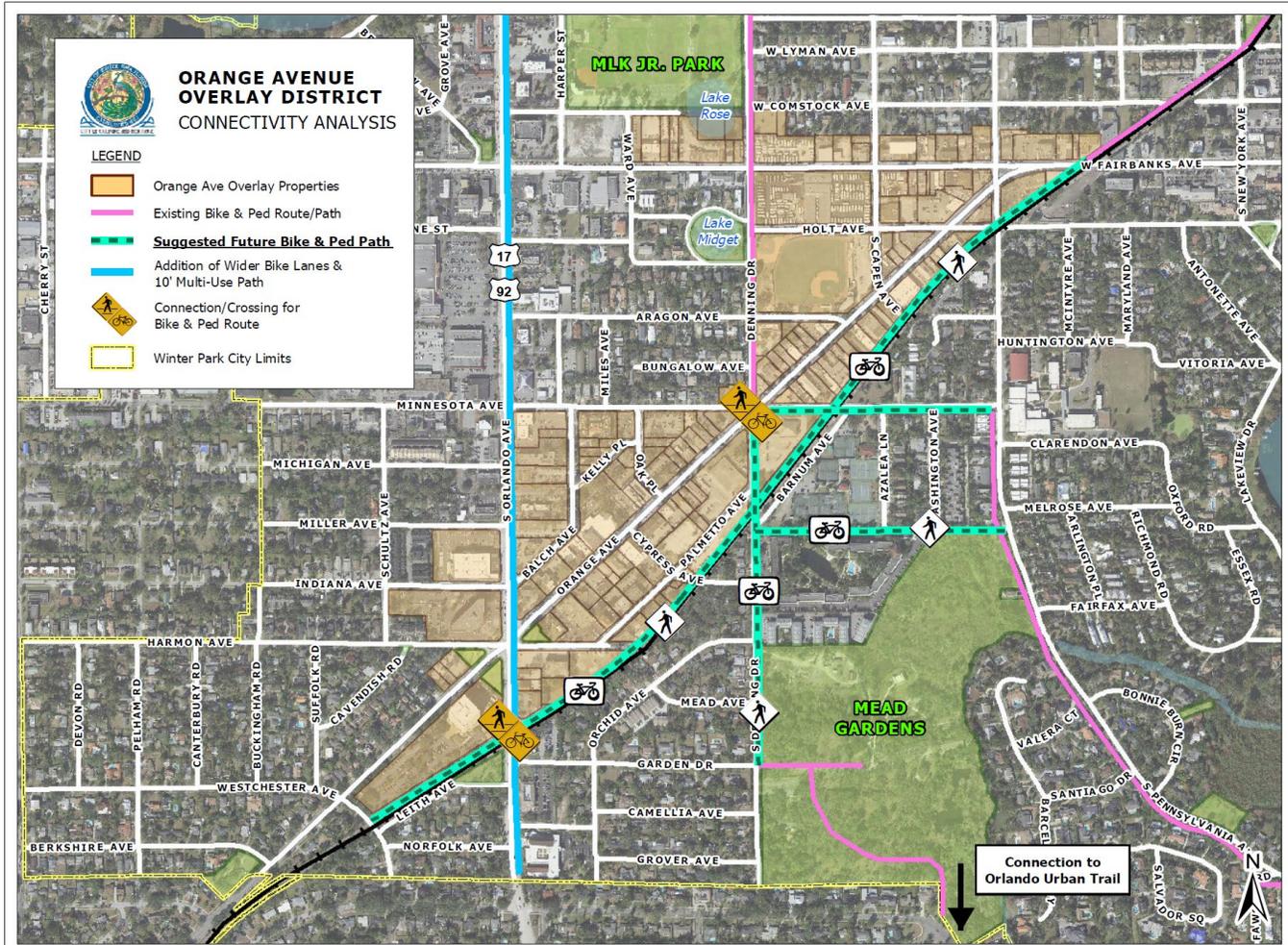
- The hierarchy of Transportation from the Comprehensive Plan should be kept at the forefront of any future improvements. This hierarchy places the pedestrian at the front, followed by bicyclists, then public transit users and vehicles as the last transportation method considered in design.
- Transportation enhancements should encourage decorative lighting, landscaping and the continued planting of canopy trees along roads, sidewalks and pathways to create shade and the green aesthetic that Winter Park is known for.
- The most important transportation or mobility upgrade is the extension of the Complete Street Denning Drive improvements from their current

terminus at the Intersection of Orange Avenue, Minnesota Avenue & Denning Drive, down to the entrance to Mead Gardens.

- As potential traffic calming improvements are considered along Orange Avenue, ensure that area wide impacts are considered.
- Sidewalks along Orange Avenue are encouraged to be at least 15 feet wide, with appropriate lighting, tree canopy, vegetated areas and covering to protect from the elements.
- The redesign or “right-sizing” of Orange Avenue should be evaluated. The current design is unsafe for all modes of transportation and does not allow for the safe usage of public parking.
- Pedestrian safety in the area should be enhanced at every opportunity.
- Consider using pedestrian crosswalks with design elements that create art or murals in the road, which also enhance pedestrian safety.
- Strong consideration should be given to the utilization of traffic circles/roundabouts to create continuous flow and to provide better turning opportunities at congested intersections, specifically at the intersection of Denning Drive, Minnesota Avenue and Orange Avenue.
- Efforts should be made to provide connectivity to the surrounding residential areas for pedestrians and cyclists.
- Street Design that reduces speeds on Orange Avenue should be incorporated.
- A minimum 12-foot wide multi-use bike and pedestrian pathway should be designed along the railroad to provide access and connectivity.
- Fairbanks Avenue Streetscape should include landscaped buffering between roadway & sidewalk.

# Connectivity

Connectivity was a major point of discussion and public input throughout the process. The following map was created to show the planned areas of connectivity and where future bike and pedestrian connections can be made.



## MIXED-USE DEVELOPMENTS

Buildings in the Orange Avenue Overlay District are encouraged to contain ground floor retail, office, personal service or restaurant spaces. Multi-story buildings with a mix of uses such as office, hotel, retail, personal services, commercial, and residential are encouraged. Residential uses above commercial spaces are encouraged and shall be allowed by right in this district, subject to meeting adopted Fire Code and Building Code requirements. Mixed-Use shall be a minimum of 25% of new developments to avoid single-user development that will detract from a vibrant mixed-use area.

**MEANINGFUL OPEN SPACE**

The guiding documents of the Sustainability Plan, the Comprehensive Plan and Vision Winter Park have a strong emphasis on the creation of open space. Additionally, more meaningful open space and green space was one of the topics that was repeated throughout the public input process.

Currently, the Winter Park Land Development Code does not have any open space requirements for new development. 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 larger-scale 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 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 greenspace and vegetation. Pervious areas such as retention ponds, parking lot islands or small-scale landscape planting areas around building bases shall not be counted as open space. 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.

**PARKING**

**Parking Lots & Parking Structures**

One of the most discussed topics during the creation of the Orange Avenue Overlay District was about parking. Specifically, the lack of available off-street parking and the limitations that it creates for existing businesses in the area. The discussions were also about putting parking areas at the rear of businesses to screen unsightly parking areas with more aesthetically appealing architecture. Additionally, there is a desire to construct parking structures, which are a more sustainable way to handle parking needs, but

there are also requirements to screen parking structures to the highest feasible scale.

## **Commercial Parking Requirements**

Unless specifically listed herein, parking shall be provided in accordance with the Land Development Code requirements.

- **General Business and Retail Commercial:** One parking space for each 333 square feet of gross floor space.
- **Office, Professional or Public Buildings:** One parking space for each 333 square feet of gross floor space.
- **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 of the Land Development Code.
- **Restaurants, Food Service Establishments, Nightclubs, Taverns or Lounges:** One space for every four seats.

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.

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.

## **Residential Parking Requirements**

Unless defined herein, parking in the Orange Avenue Overlay District shall be designed and provided in accordance with the Winter Park Land Development Code.

Multi-family development parking requirements shall be provided as follows:  
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.

## **Off-Street Parking Design**

Parking access to properties along Orange Avenue should ideally 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, providing the driveway and building gap surrounding it is minimized. Cross-access agreements are encouraged, 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.

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 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.

## **Floor Area Ratio (FAR) For Parking Structures**

One of the major changes to current Winter Park Development Standards in this Overlay District is the opportunity for parking structures to not count towards the Floor Area Ratio (FAR) for any property within the Overlay District.

Winter Park is rare in that parking garages are counted towards FAR. Floor Area Ratio is the maximum extent to which a property can be developed, so this is a vital part to the potential for development of any property. The current requirement to count FAR of parking structures leads to the surface parking being the only economical way to build new projects. The mixed-use areas in town that have seen success have relied on parking structures to be successful. Few cities choose to count parking garages towards FAR. This code requirement makes development that uses parking garages very difficult, resulting in the shopping center type development with large impervious surface parking lots. This type of parking is very unsustainable and does not contribute towards the aesthetics and maintaining the tree that makes Winter Park special.

As with other areas of this Overlay District, the new or enhanced development standards must be earned, not simply given. Within the Overlay District, parking garage FAR shall not count as long as the following conditions are met for each structure:

- 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 at or below fair market value (based on area parking lease comps) to 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.
- 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.
- Provide level-two electric vehicle charging stations for a minimum of 2% of all spaces within the structure.
- 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 at or below fair market value (based on area parking lease comps) to properties in the area or shall be provided for free public parking.
- Of the required 50% shared parking that is available (not leased or in use by the onsite businesses at the time), these spaces shall be 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 OAO or for public events at Mead Botanical Garden.
- 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 structures that do not meet all of the requirements listed above shall not be exempt from FAR calculations.

Parking structures on the north side of Fairbanks Avenue shall not be exempt from FAR. Parking structures west of Orlando Avenue shall not be exempt from FAR for structures greater than 2 levels (ground +1).

Parking provided to accommodate residential units or hotels shall not be required to be shared or count towards the shared parking ratio requirement. Because these spaces will not be available for shared or public use, one (1) additional free parking space shall be required for each ten (10) spaces that are dedicated for hotel or residential use. These public spaces shall be maintained as 24-hour, free public parking and shall not count towards additional entitlement achievement.

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.

## **DENSITY TRANSFER**

A key component to any mixed-use district is the inclusion and promotion of residential uses. Mixed-use districts that do not allow for residential units at an appropriate scale are then simply commercial districts. Mixed-Use, at its core, is all about the live, work and play components. Though the words density and multi-family can often be associated with fear and misconceptions, not having people who live in an area and bring life to the area will not be a true mixed-use area. Winter Park is a very low-density area in the traditional single-family areas, but this does not mean that multi-family living in certain areas is not appropriate, especially in mixed-use areas, such as the successful areas around Park Avenue and Hannibal Square. Additionally, having people who live in a mixed-use district brings 24-hour eyes and ears to a place, making it more than just a commercial area, it also becomes a neighborhood.

A unique part of the Orange Avenue Overlay District is the allowance for density that currently exists in the Orange Avenue area by right to be transferred into two specific subareas. As it currently stands, each commercial, office, industrial or residential area in the Overlay District is entitled with a density of 17 units per acre. Given this, over 1,100

residential units are currently entitled within the current zoning of the area. Only 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 from other subareas into subarea D or subarea J. Only the existing residential units that exist currently may be transferred into subareas D or J. Units cannot be transferred out of these subareas and no other subareas may transfer density between them. Additionally, only the units can be transferred, not the entitled square footage or FAR. Once the residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site that transfers the units, as the residential unit rights no longer exist. Additional properties purchased after the date of the adoption of this Overlay District shall not be eligible for density transfer.

The intent of the density transfer 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. Allowing density transfer into these areas would allow for approximately 300-350 total units to be built. Given the size and shape of the other properties within the area, it is not feasible for other larger multi-family developments to be built. There would not be the land size needed for the building and parking, the allowable FAR would be too low as well. And the parking would count towards FAR because residential parking spaces are not allowed to be used in shared parking calculations, so the FAR exemptions could not be met. There may be some smaller projects or remodels that construct a few units above existing retail or office, but no other larger projects would be feasible, keeping the actual density of the area much lower than it could be (1,100 units). By clustering the intensity, there will be a reduction in overall massing and building heights throughout the Orange Avenue Overlay area, keeping as much of the smaller scale development as possible to maintain the character of the area. 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.



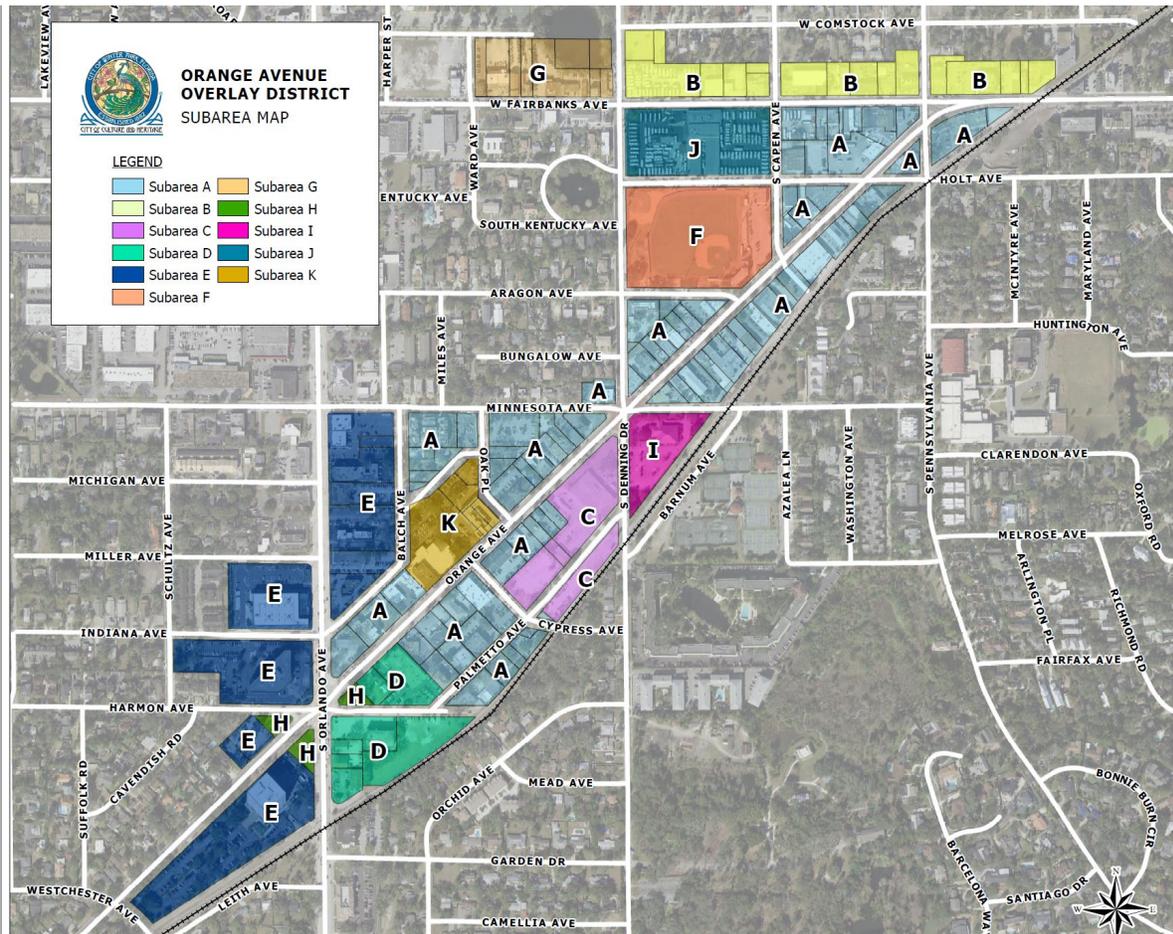
# ADMINISTRATIVE REVIEW

Unless cited within this Chapter or another Section of the Winter Park Land Development Code, review of these guidelines and compliance shall be performed at the administrative level for projects not requiring Conditional Use approval. To ensure that the intent of the code is met, each application for a Conditional Use or any project that would utilize any of the Development Enhancement Menu options shall be reviewed by the Planning & Community Development Director or their designee. Any appeals of the determination of staff shall be taken before the City Commission for determination.

## SUBAREAS

### Orange Avenue Overlay District Sub-Areas & Standards

The subarea map depicted below shall officially delineate the different subareas and their specific development standards. Each area has unique characteristics, issues and opportunities.



## **General Subarea Development Standards**

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 adoption of the OAO, 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 not 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 the OAO are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum 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.

Parcels to be developed or redeveloped within Subareas C, D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use developments occur that may not create the vibrant mixed-use district that is desired.

## **Orange Avenue Subarea Descriptions:**

### **Subarea A**

This subarea consists mostly of existing buildings on smaller lots that were developed prior to Winter Park's current Building Codes or Land Development Code regulations. Therefore, the vast majority of these properties contain legally non-conforming structures. These properties are typically nonconforming in one or more of the following areas: Floor Area Ratio (FAR), Off-Street Parking, Stormwater Retention, Impervious Area, and Landscaping. These buildings have typically not been altered or remodeled to a great degree

because if the valuation of the remodel exceeds 50% of the valuation of the building, the entire property would be required to be brought into conformance with all building and Land Development Codes.

This area also has great character and the majority of the buildings are built at a very human-scale. In order to allow for the remodeling and renovation of the buildings within this subarea and to enhance the Orange Avenue Overlay District, the 50% valuation threshold shall not apply to these properties and the 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, size and conditions of the property:
  - 1. Floor Area Ratio
  - 2. Minimum Parking Requirements
  - 3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
  - 4. Impervious Surface Percentage
  - 5. Setbacks
  - 6. Landscaping
  - 7. Height (no increase in stories)
  
- (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 17-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. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 units per acre

## **Subarea B**

This subarea consists of unique commercial lots that are located adjacent to single-family residential zoning. In order to mitigate the lack of transitional areas between single-family homes and the Commercial areas and heavy traffic of Fairbanks Avenue, special consideration should be given to setbacks, screening and uses. This area is ideal for commercial frontages along Fairbanks Avenue and residential uses along the border of the single-family residential area.

Cross-access easements will be required upon re-development of the properties to limit the number of curb-cuts and driveways along Fairbanks Avenue.

### *(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

### **Subarea C**

This subarea is defined as the city owned, Progress Point property. It sits at one of the major intersections along Orange Avenue. This property currently serves as the relief valve of overflow parking for businesses nearby. In order to mitigate the lack of parking in the area, there should be special consideration for a parking garage on this property. There are also stormwater drainage concerns along Orange Avenue due to the age of the development in this area, so special considerations should be given for regional stormwater retention on this property. Due to its proximity to Mead Botanical Garden, this area provides a unique opportunity for a gateway and signage to direct the public to Mead Botanical Garden.

*(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 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
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 Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea C.
- (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.

## **Subarea D**

This subarea represents a significant and unique opportunity for redevelopment, and can also address many of the area-wide issues that currently exist. A former industrial site, that has significant frontage along the railroad, but has also been collectively purchased by one owner, and has significant visibility and opportunity to be a gateway into Winter Park city limits. Additionally, the properties within this subarea are adjacent to the

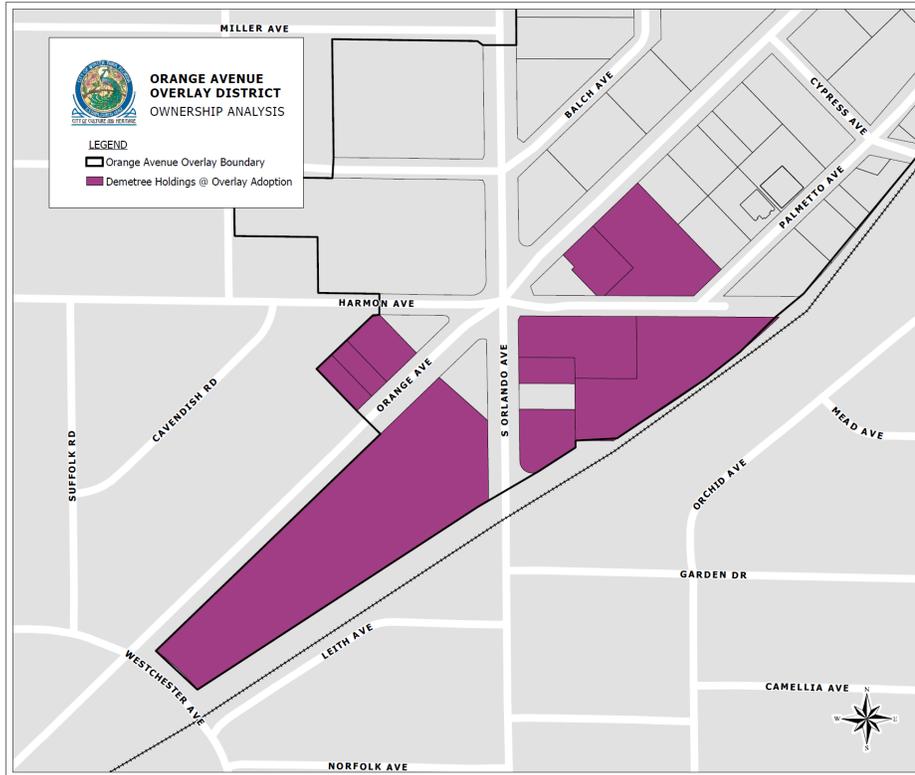
intersection of Orlando Avenue, Harmon Avenue and Orange Avenue. Other properties at this same intersection have developed to a larger scale, massing and height, but due to the presence of city-owned parkland and larger parcel size, the buildings have been set back far enough that the increased massing and height are not as visually imposing. This area is one of the only areas within the Overlay District where additional building height could be considered. This area is also very important to addressing the regional stormwater and parking issues. It is also key to creating the gateway into Winter Park.

(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: Street: 20 feet along Orlando Ave. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Orlando Avenue., 0 feet along Orange Avenue except front setbacks must allow for at least a 17-foot wide sidewalk. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  - 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.

## Subarea E

This subarea consists of properties located along Orlando Avenue, a high-traffic and commercially-zoned area. Many of these properties are at an age where redevelopment is becoming more attractive. These properties have the unique ability to support the Orange Ave area due to their size and their ability to provide additional parking for the areas that are currently deficient in available parking. Additionally, these properties are located along the most visible and highly-trafficked area of Winter Park, so it is appropriate to have enhanced architectural standards for these important gateway properties. These properties would develop with additional setback requirements, architectural standards and would encourage a mix of uses.

(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. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
    - 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.

## **Subarea F**

This subarea is the location of the Rollins Baseball Stadium and has underlying zoning of Parks & Recreation. This area shall not be used for any other future purpose than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses. No offices, classrooms, residences or other college uses shall be allowed on the property.

(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

## **Subarea G**

This subarea represents an opportunity to expand Martin Luther King Jr., Park and to create an increased greenway connection to Mead Botanical Garden and other areas of the city. This area also provides opportunities for regional stormwater improvements. The uses in this area may continue as legally non-conforming uses, but the buildings cannot be increased in size and the properties can have no future use other than parkland/open space.

(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: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue.

Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2

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.

## **Subarea H**

This subarea consists of existing city-owned parkland/open space. This area shall not be used for any purpose other than open space, enhanced parkland or connectivity. The area cannot be used to meet open space requirements for other properties in the area.

(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

## **Subarea I**

This subarea is a unique triangle shaped property that is adjacent to the intersection of Orange Avenue, Denning Drive and Minnesota Avenue. It has the potential to address some of the regional issues, but is limited by the unique geometry of the site. The subarea can provide needed right-of-way for potential intersection improvements that will improve traffic flow along the corridor. It shall also accommodate the Denning Drive multi-modal transportation improvements.

(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 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  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 creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

## **Subarea J**

This subarea is uniquely situated in an area where it has the ability to address many of the issues present in the area. The area east of Denning Drive has a great need for parking, but has very little available. This area also has frontage along Fairbanks Avenue, where the City needs additional right-of-way to add dedicated left-turn lanes with vehicle stacking on eastbound and westbound Fairbanks Avenue at Denning Drive. This subarea is also situated adjacent to the recent Denning Drive Complete Street and overlooks the Rollins Baseball stadium. Due to the size of the property, additional height and massing may be appropriate, if properly designed.

(a) *Subarea J Development Standards:*

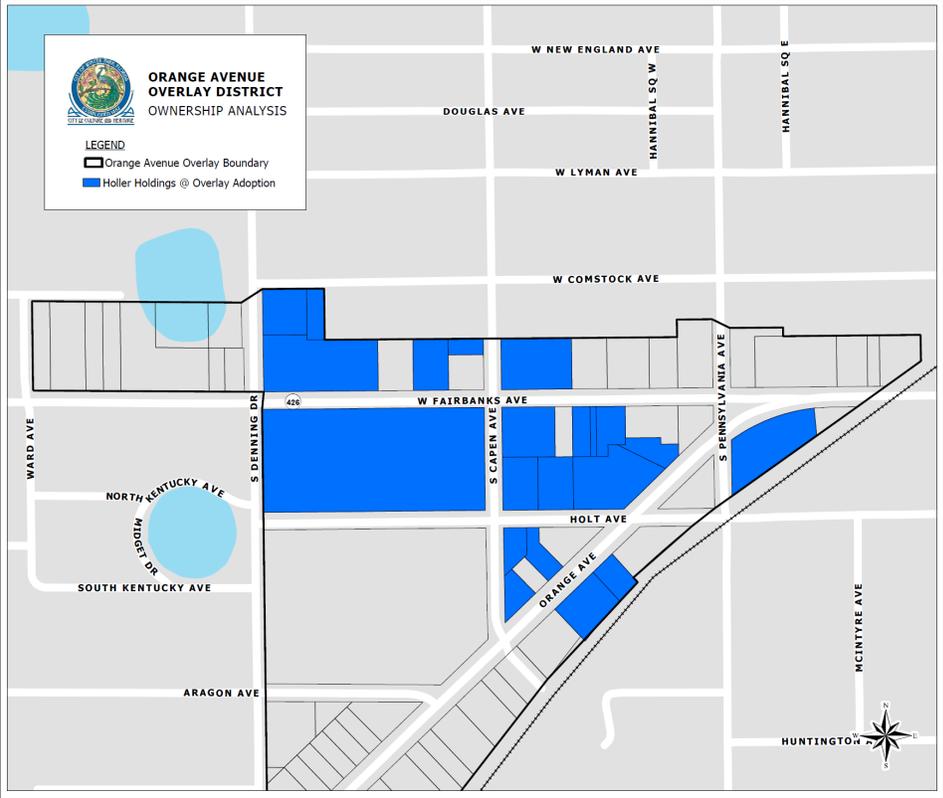
1. Base Floor Area Ratio: 100%
2. Maximum Achievable Floor Area Ratio: 200%
3. Maximum Height: 5 Stories
4. Maximum Impervious Coverage: 75%
5. Setbacks: 20 feet Street Setback. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area at the back of curb along all adjacent streets. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
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/or 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 from other subareas 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.



**Subarea K**

This subarea represents the main campus of the Jewett Orthopedic Clinic and Surgery Center, the largest employer along the corridor and one of the longest-tenured businesses along Orange Avenue. This property has plans for future expansion and has already made significant investment in the area. Emphasis shall be placed on the modification of the façade and landscape areas that front Orange Avenue, to create a more walkable area and to create aesthetic and open space improvements to the area.

(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 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  - 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

## **ORANGE AVENUE OVERLAY DEVELOPMENT ENHANCEMENT MENU**

Throughout the many years of studying the Orange Avenue area, the reasons that development and redevelopment have been slow to occur, typically center around lack of parking, lack of safety in mobility (dangerous traffic), stormwater, no meaningful open space that created community, no connectivity, a lack of sense of “place”, and zoning codes that do not allow for return-on-investment for properties in the area. The Orange Avenue Overlay Steering Committee process determined that changes were needed if the Orange Avenue area was going to thrive. Given the limited areas that could address the issues that have plagued the area, it was determined that enhanced development entitlements should be considered, but should be earned, rather than simply given to the properties in the area. The consensus was that property owners and developers should have to provide solutions that helped the smaller businesses in the area and to provide solutions that provided benefit to all of Winter Park.

### **Percentage-Based Development Enhancement Menu**

Percentage-Based Development Enhancement Menu. As a part of this solution, utilization of a percentage-based upgrade system for certain subareas 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. proposed. The reason for the system is to capitalize on the potential development of the larger properties to address the severe shortage of area-wide parking, meaningful open-space, stormwater and other issues that have led to the longstanding economic stagnation of the area.

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. Adding parking that will address the area-wide shortage will require structured parking, which comes at a high cost, so certain properties will be allowed to build at higher than traditional bulk standard entitlements in order to have enough leasable space to be able to fund the construction of structured parking and public improvements that will be required.

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. The maximum achievable FAR shall not be exceeded. 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**

<b>Category Number</b>	<b>Enhancement</b>	<b>Description &amp; Potential Bonus</b>	<b>Enhancement Achievement Maximums</b>	<b>Maximum FAR Increase</b>
<b>S.1</b>	<i>Shared Electric Vehicle On-Site</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
<b>S.2</b>	<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%
<b>S.3</b>	<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%
<b>S.4</b>	<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%
<b>S.5</b>	<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
<b>IS.1</b>	<i>Stormwater Retention Beyond Code Minimum Requirements</i>	Each 1% of additional 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
<b>AC.1</b>	<i>Public Art</i>	Each Public Art Installation Shall Earn 1% Entitlement Bonus	Max 5 Locations	5%
<b>AC.2</b>	<i>Gateway Feature</i>	Creation of signage, art or other type of gateway feature that welcomes people to Winter Park.	5%	5%
<b>AC.3</b>	<i>Space for Non-Profit Arts &amp; Cultural Organizations</i>	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
<b>P.1</b>	<i>Public Parking</i>	1% Entitlement Bonus for Each Shared Electric Vehicle On-Site.	Max 2 Vehicle Credit	2%
<b>P.2</b>	<i>Screening of Parking Structures</i>	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. This enhancement is in addition to the requirements for FAR exemption.	10%	10%

**Table 5: Orange Avenue Overlay District Development Enhancement Menu – Miscellaneous 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>M.1</b>	<i>5G Small Cell Facilities Placed on Building</i>	Each 5G Small Cell Placement on Structure Earns 1% Entitlement Bonus	Max 5 Locations	5%
<b>M.2</b>	<i>Workforce Housing Provided</i>	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**

<b>Category Number</b>	<b>Enhancement</b>	<b>Description &amp; Potential Bonus</b>	<b>Enhancement Achievement Maximums</b>	<b>Maximum FAR Increase</b>
<b>OS.1</b>	<i>Open Space Beyond Minimums</i>	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%
<b>OS.2</b>	<i>Shade Tree Planting</i>	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%
<b>OS.3</b>	<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 \$10,000 to the Tree Replacement Trust Fund, a 1% Entitlement Increase Shall Be Granted.	Maximum \$40,000 Donation	5%
<b>OS.4</b>	<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%
<b>OS.5</b>	<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%
<b>OS.6</b>	<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%
<b>OS.7</b>	<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	–

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
		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**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
<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, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, 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 and the design of the trail shall be determined on the site plan when a project is submitted for consideration	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 to meet and exceed regional trail widths and 4-foot planting strip along each side within said 23 foot easement, 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 and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 25%	25%

<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.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%
<b>CT.5</b>	<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%
<b>CT.6</b>	<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%
<b>CT.7</b>	<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%



## **EXECUTIVE SUMMARY**

This process has been a transformative way of creating a community-based planning process. This Overlay District was created as a result of the Comprehensive Plan calling for a new way of exploring the creation of Mixed-Use Overlay Districts. This process was not driven by developers or in response to any sort of planned development, instead it was based on the input of the Community and through the guidance of a Steering Committee that spent six months exploring the problems that have led to the economic stagnation of the Orange Avenue Overlay District. The findings and recommendations from the Committee were based on solutions to problems that have hurt small businesses in the area for many years. Additionally, the Committee used the Vision Winter Park Plan, the Sustainability Plan and the Comprehensive Plan to create a new way of looking at development in Winter Park and allowing for development bonuses to be earned, rather than simply given through rezoning or variance. City staff and the Winter Park community worked together to create the vision for Orange Avenue. A vision that kept traditional scale, created a more walkable district, created safety for all modes of transportation, assisted small businesses, found creative solutions to area-wide issues, ensured high-quality development, created more open space and brought connectivity to the area. The end result of this process will be the creation of the next great Place in Winter Park, one the community will be proud to call their own.

**FINAL DRAFT AMENDING THE COMPREHENSIVE PLAN  
1.8.2020**

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

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

**WHEREAS**, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution, held twelve (12) advertised public meetings, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

**WHEREAS**, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and voted unanimously to recommend adoption of these proposed amendments to the Zoning Regulations portion of the Land Development Code, having held a public hearing, which was noticed to every property Citywide, on December 3, 2019; and

**WHEREAS**, the Winter Park City Commission has reviewed the proposed Comprehensive Plan amendment and held an advertised public hearing, which was noticed to every property Citywide, on January 13, 2020 and will have a second advertised public hearing after review and compliance with any requested changes by required State Agencies, and provided for public participation in the process in accordance with the requirements of State law and the Comprehensive Plan; and

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

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

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

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

**FINAL DRAFT AMENDING THE COMPREHENSIVE PLAN  
1.8.2020**

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



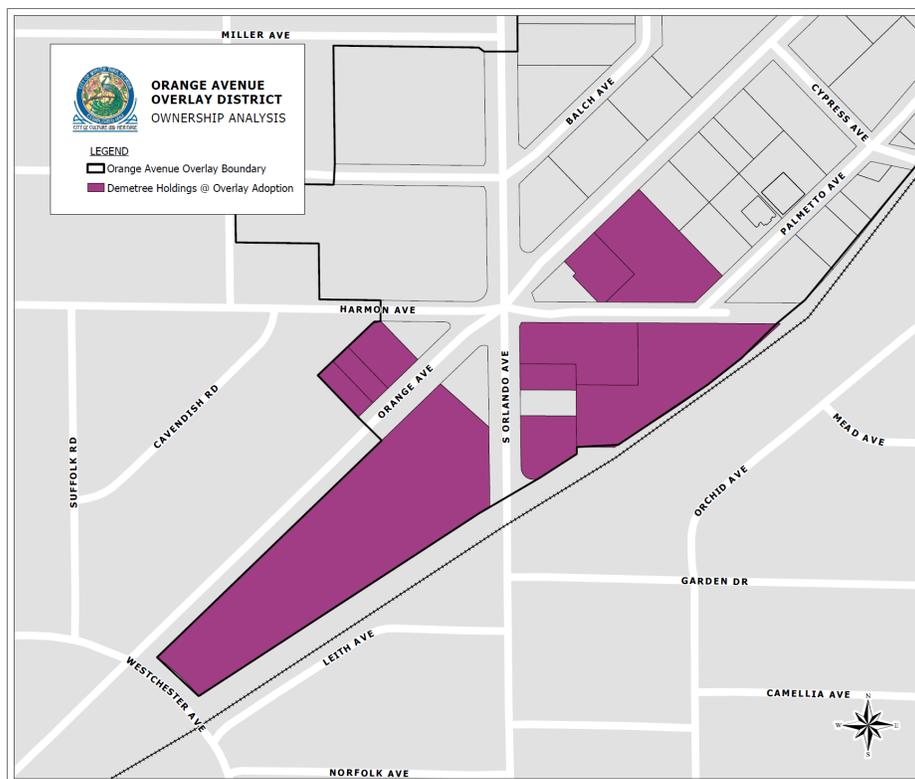
**Policy 1-8.1.1: Conflicts and Inconsistencies.** Where any Policies within this Comprehensive Plan, including any Planning Area Policies, are found to be in conflict with the Policies set forth for the Orange Avenue Overlay District, the following Policies found herein shall apply and shall supersede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

**Policy 1-8.1.2: Orange Avenue Overlay District Subareas.** The Orange Avenue Overlay District Subarea Map, FLUM-1-25, shall delineate the different subareas and their specific development standards. Changes to the subarea map shall be allowed. Each area has unique characteristics, issues and opportunities. The maximum FAR,



- (3) Subarea C.
  - a. Maximum Achievable Floor Area Ratio: 125%
  - b. Maximum Height: 4 Stories
  - c. Maximum Residential Density: 17 units per acre
- (4) Subarea D.
  - a. Maximum Achievable Floor Area Ratio: 200%
  - b. Maximum Height: 7 Stories
  - c. Maximum Residential Density: 17 units per acre
- (5) Subarea E.
  - a. Maximum Achievable Floor Area Ratio: 80%
  - b. Maximum Height: 4 Stories
  - c. Maximum Residential Density: 17 units per acre
- (6) Subarea F.
  - a. Maximum Achievable Floor Area Ratio: 20%
  - b. Maximum Height: 2 Stories
  - c. Maximum Residential Density: Residential uses shall not be permitted.
- (7) Subarea G.
  - a. Maximum Achievable Floor Area Ratio: 45%
  - b. Maximum Height: 3 stories
  - c. Maximum Residential Density: 17 units per acre
- (8) Subarea H.
  - a. Maximum Achievable Floor Area Ratio: 0%
  - b. Maximum Height: N/A
  - c. Maximum Residential Density: Residential uses shall not be permitted.
- (9) Subarea I.
  - a. Maximum Achievable Floor Area Ratio: 125%
  - b. Maximum Height: 3 Stories
  - c. Maximum Residential Density: 17 units per acre
- (10) Subarea J.
  - a. Maximum Achievable Floor Area Ratio: 200%
  - b. Maximum Height: 5 Stories
  - c. Maximum Residential Density: 17 units per acre
- (11) Subarea K.
  - a. Maximum Achievable Floor Area Ratio: 80%
  - b. Maximum Height: 3 Stories
  - c. Maximum Residential Density: 17 units per acre

**Policy 1-8.1.3: Subarea D Residential Density Transfers.** At the time of the adoption of this OAO, the owner of properties within Subarea D or vacated rights-of-way within Subarea D, shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from other properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the map below to this Subarea D, though not the square footage. Once the residential density entitlements are transferred from such other commonly-owned properties, no residential units can be constructed on the property from which the density transfers occurs, and the documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other 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 OAO. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea D. This language shall not allow transfer of units into other Subareas. The map below depicts the properties within this Subarea D that qualify for this density transfer.



**Policy 1-8.1.4: Subarea J Residential Density Transfers.** At the time of the adoption of this OAO, the owner of the Subarea J property shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the below map to this Subarea J. Once the residential density entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which the density transfers occur and documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other than those shown on the below map owned by Holler Holdings or a subsidiary, shall be eligible for density transfer. The intent is to create nodes of intensity 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 OAO. The map below depicts the properties within this Subarea J that qualify for this density transfer.



**Policy 1-8.1.5: Meaningful Open Space Requirements.** It is the intent of the OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering

1.5 acres, that is redeveloped shall provide 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 greenspace. 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.

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

**Policy 1-8.1.7: Variances and Special Exceptions.** 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.

**Policy 1-8.1.8: Existing Single-Family Residential Uses.** The OAO shall not apply to existing single-family residential uses, neighborhoods, or residential developments. Protections of existing single-family residential uses shall be implemented. Properties currently used as single-family residential shall continue to be subject only to current Land Development Code standards and protection. Any change of use on the property shall require compliance with OAO standards.

**SECTION 2. Vesting.** In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

**SECTION 3. Severability.** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

**SECTION 4. Conflicts.** To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

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

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

**ADOPTED** at a regular meeting of the City Commission of the City of Winter Park, Florida, held in City Hall, Winter Park, on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor Steve Leary

Attest:

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City Clerk

**FINAL DRAFT – CLEAN VERSION**

**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 DISTRICT (OD); PROVIDING FOR CONFLICTS; SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, an eleven (11) member Orange Avenue Overlay Steering Committee was formed by City Commission Resolution and held twelve (12) advertised public meetings with public comment available, and oversaw the language creating the Orange Avenue Overlay District and voted to recommend approval of the language to the Planning & Zoning Board and City Commission; and

**WHEREAS**, the Winter Park Planning and Zoning Board, acting as the designated Local Planning Agency, has reviewed and 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, the Orange Avenue Overlay Steering Committee, the Planning & Zoning Board 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

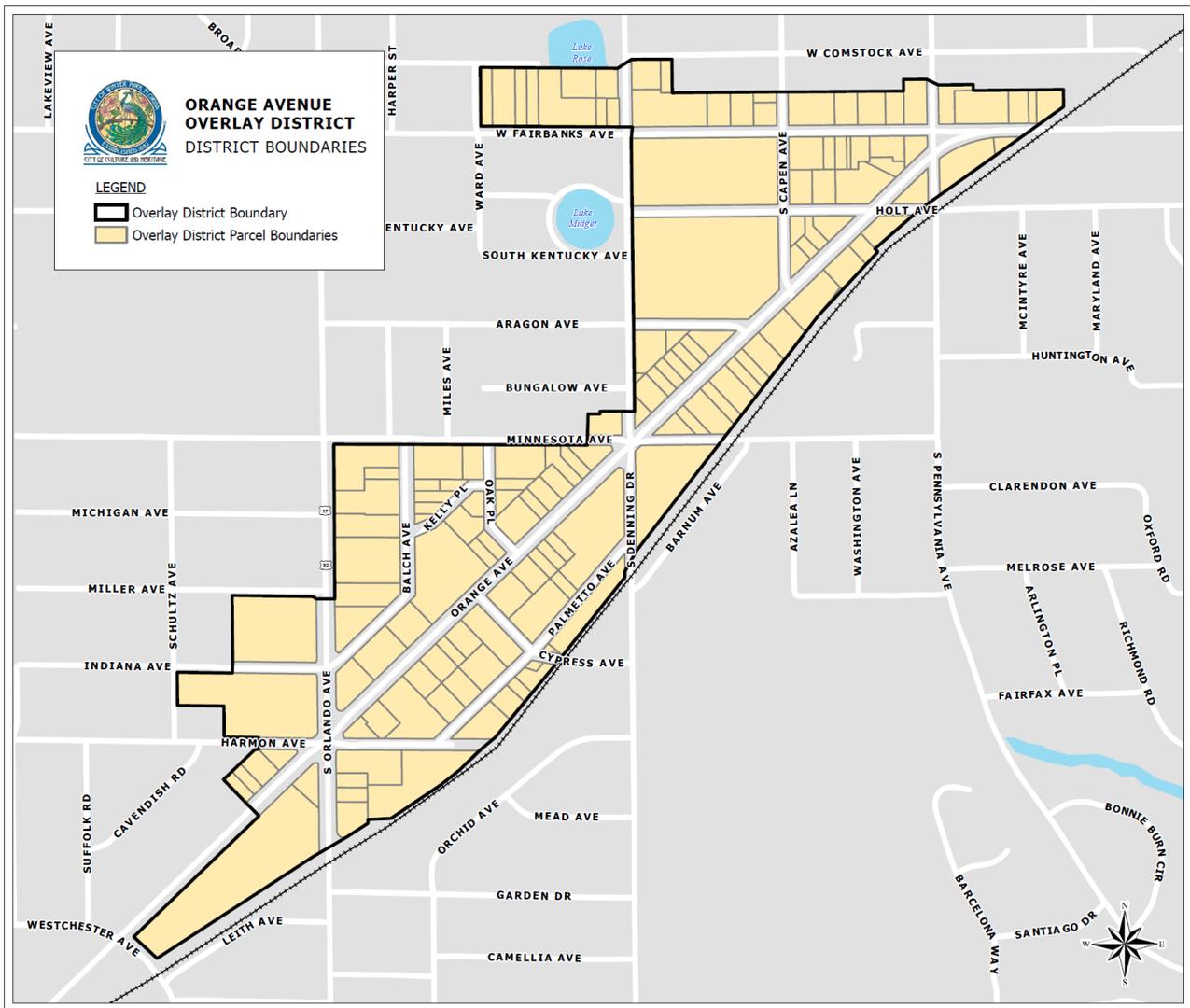
**WHEREAS**, the City Commission hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Winter Park, Florida.

**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, except to the extent provisions of the adopted overlay district replace, supersede, or provide different requirements.
  - (b) Where any Section or provisions of an overlay district adopted into the Land Development Code are found to be in conflict with or which overlay district Sections or provisions replace, supersede, or override other Sections or provisions of the Land Development Code, the relevant Sections and provisions in the adopted overlay district shall apply and control. Any overlay district acts as an additional layer of zoning over the base zoning district.
- (3) *Overlay Districts.* The provisions and regulations for any Overlay District within the City of Winter Park are outlined below.
- (1) *Orange Avenue Overlay District.* It is the intent of the Orange Avenue Overlay District ("OAO") to provide enhanced standards to protect and promote the unique characteristics of the Orange Avenue area and create a distinct gateway into Winter Park. This OAO is used to create a sense of place established through specific architectural styles, streetscape design, open space areas, setbacks, site design, landscaping and other regulatory controls. The following provisions and regulations apply to all properties located within the OAO unless expressly provided otherwise.
    - a. *Location and boundaries.* The OAO boundaries are identified on the following map. The provisions and regulations found herein shall only apply to the properties located within this defined area. Each parcel of property within the OAO is identified by tax parcel identification number on the attached Exhibit "A", and each Parcel, in addition to retaining its underlying zoning classification (as modified by these OAO regulations and provisions), shall reflect on "OAO" designation on the City's zoning map.



*b. Purpose.*

- (1) Encourage sustainable development, redevelopment, and adaptive reuse 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 redevelopment 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 OAO 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 OAO;
- (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.
- (21) Explore the implementation of a Transportation Impact Fee for new development in the OAO to fund the transportation infrastructure that are needed to address the existing and new transportation issues in the area.

c. *Permitted Uses.* Any use not listed specifically as an allowed use herein shall be deemed to be prohibited in the OAO. The following uses shall be allowed by-right on any property within the OAO, 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) Dry Cleaning (Drop-Off Only, with off-site processing & no drive-thru)
- (8) Financial institutions, including banks, savings and loan associations and credit unions (with a maximum of 2 drive-thru lanes, which are screened from view)
- (9) Fine arts museums, fine arts instruction, dance instruction and music instruction
- (10) Fitness facility, exercise or health club (up to 5,000 square feet)
- (11) Food Halls
- (12) Government services
- (13) Grocer (not including convenience store), up to 10,000 square feet.
- (14) Health and wellness studios (up to 5,000 square feet)
- (15) Mixed-Use Development
- (16) Nonprofit organization offices
- (17) Personal services (spa, barber shop, hair salon, nail salon, massage, cosmetic treatment)
- (18) 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)
- (19) Photography Studio
- (20) Professional offices (including medical and dental offices)
- (21) Recreational facilities up to 5,000 square feet
- (22) Residential uses such as condominiums, townhomes, apartments, lofts, studios. If more than 4 units is proposed as a part of any new development, remodel or addition, each of the units shall be a minimum of 750 square feet of living area. Excluding single-family detached homes;
- (23) Restaurants/Fast-Casual Dining/Fine-Dining
- (24) 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), a maximum size of 10,000 square feet.
- (25) Theater

(26) 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 OAO, 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 or retail uses over 10,000 square feet in size.

*e. Prohibited Uses.* Without limiting the uses that are prohibited in the OAO, the following uses shall be prohibited in the OAO:

- (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
- (10) Pain Management Clinics
- (11) Medical Marijuana Dispensaries, Processing, Growing, etc
- (12) Billboards

*f. Non-Conforming Uses.* Existing but non-conforming properties uses and properties, which existed as of the date the OAO became effective, shall be allowed to continue in the same manner after the adoption of the OAO. However, such nonconforming uses and properties shall be subject to the provisions of this OAO when any of the conditions below occur. When any change as identified below occurs and the property owner seeks to continue the non-conforming use or non-conforming property, the owner must demonstrate that continuing such non-conformity is no more intensive or incompatible with the OAO

requirements than what existed prior to the change and the change 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 any existing non-conforming structures and/or uses are made to the property that increases the gross square footage.

*g. Single-Family Residential Uses within the Overlay District.* The OAO shall not apply to existing single-family residential uses, neighborhoods, or residential developments. Protections of existing single-family residential uses shall be implemented. Properties currently used as single-family residential shall continue to be subject only to current Land Development Code standards and protection. Any change of use on the property shall require compliance with OAO standards.

*h. Landscaping Requirements.* Development and or redevelopment in the OAO shall comply with all landscaping requirements of other provisions of the Land Development Code and future corridor landscape plans, unless specifically addressed within the OAO. The opportunity to add additional trees and the requirement of meaningful open space is addressed in later sections of this OAO.

*i. Architectural Standards.*

- (1) *Building Height.* To allow for flexibility in design, but preserving development standards that will reduce building massing. 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, there shall be 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.

(2) *Setbacks/Stepbacks*

For any building over two stories in height that is located along Orlando Avenue or Fairbanks Avenue that is built up to the allowable building line (established by setback or sidewalk requirement), 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:

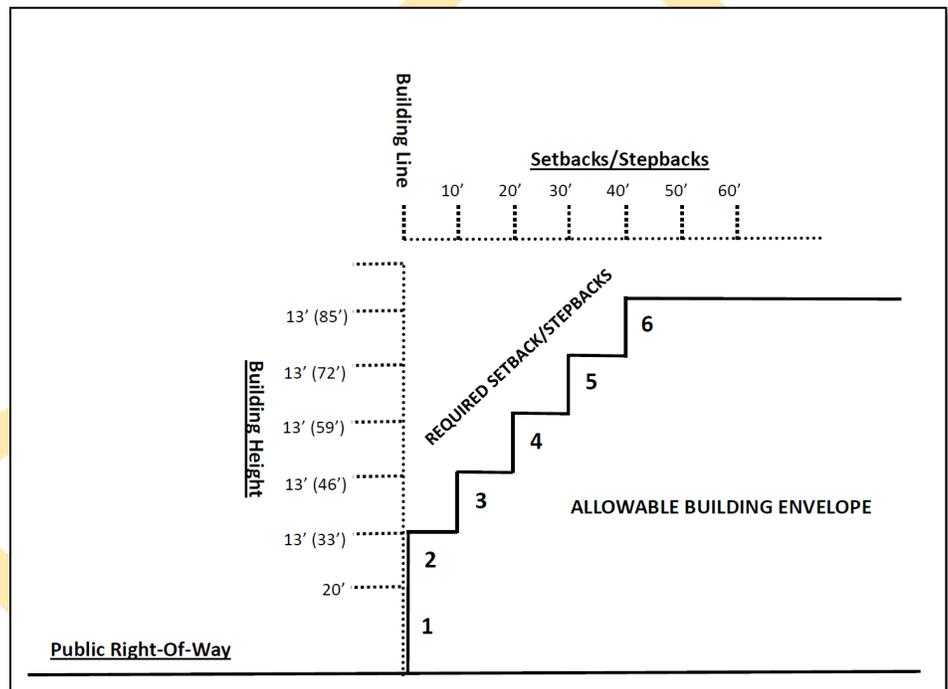


Figure 2 – Four Story Building Example:

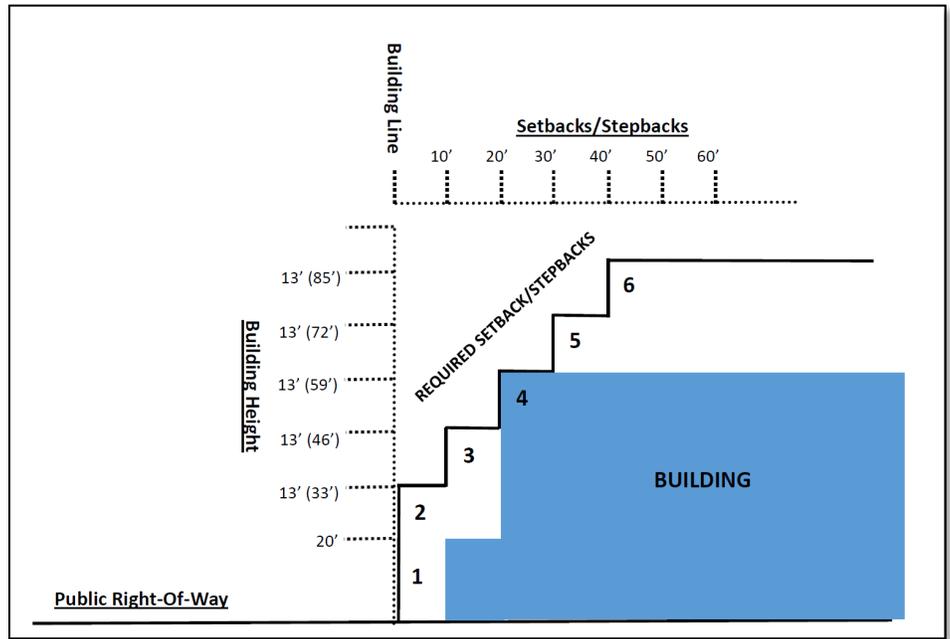


Figure 3 – Five Story Building Example:

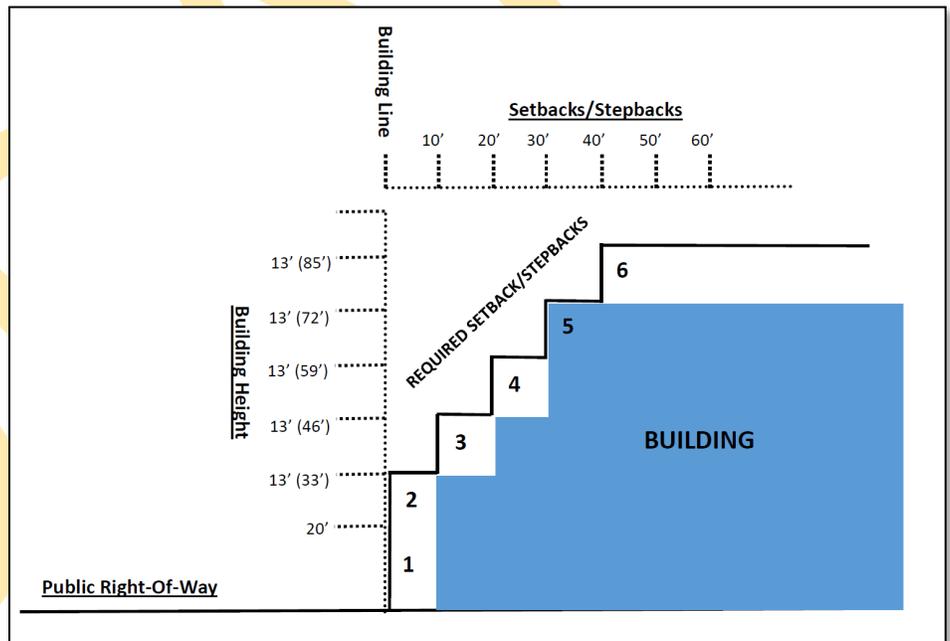
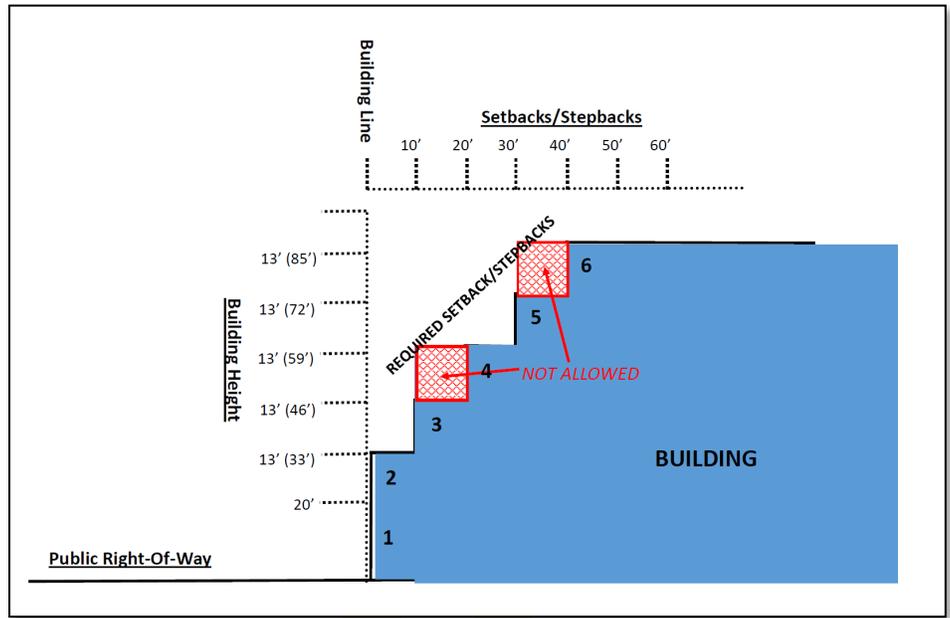


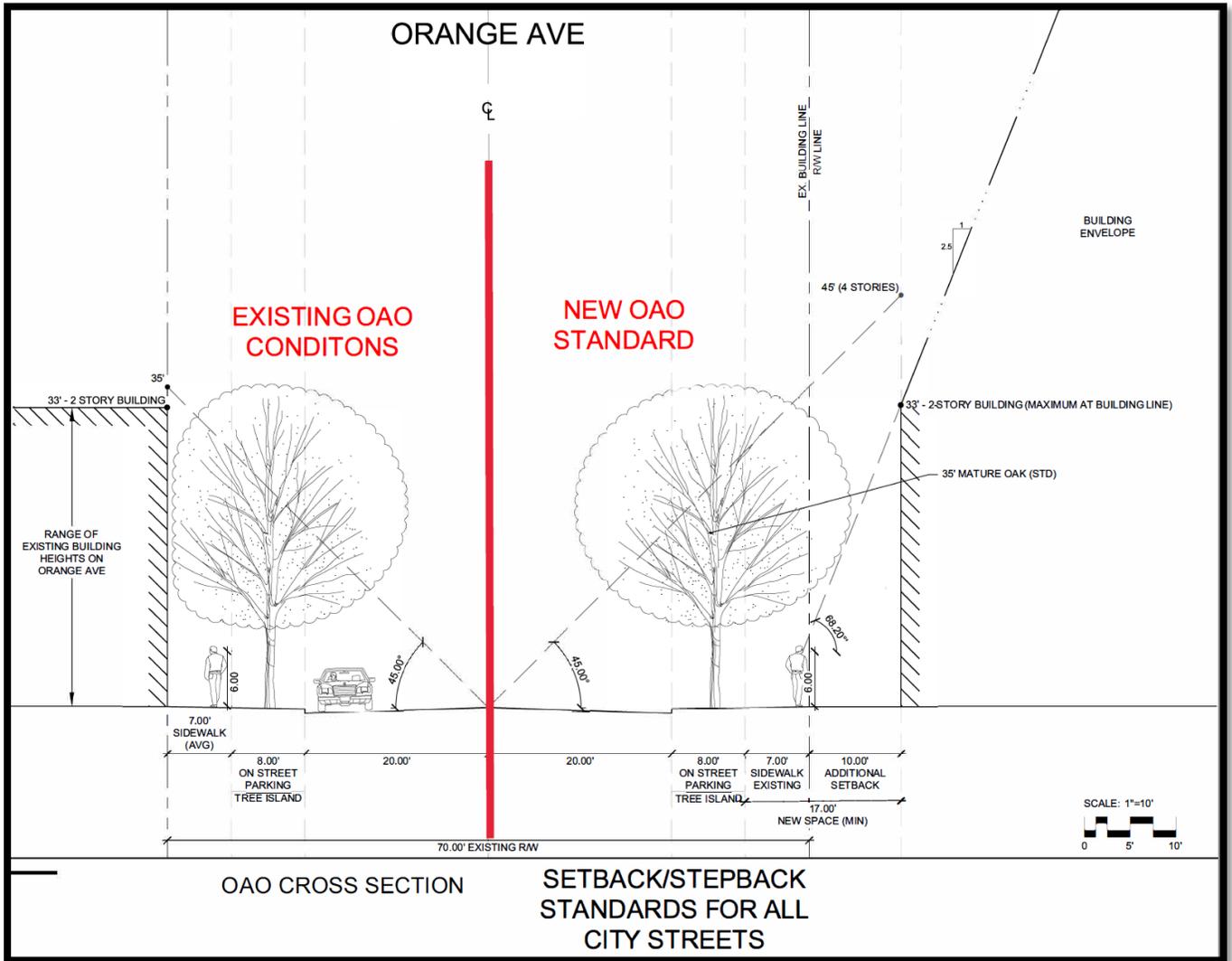
Figure 4 – Prohibited Building Example:



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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 for City Streets (All Streets Except Fairbanks Ave or Orlando Ave):



If a building is constructed within the allowable building envelope as depicted above, the first floor shall always be defined and articulated as addressed later in the OAO. 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 of the OAO 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.

All setbacks and/or stepbacks must provide space for the healthy development of shade tree crowns. The City Arborist shall review species selection to ensure compliance.

Building setbacks/stepbacks as defined herein shall not be required for properties abutting the railroad right-of-way. 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 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. To promote pedestrian safety, buildings placed on corner lots shall be setback to allow for line of sight for all modes of transportation, based on speeds and site conditions.
- (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.

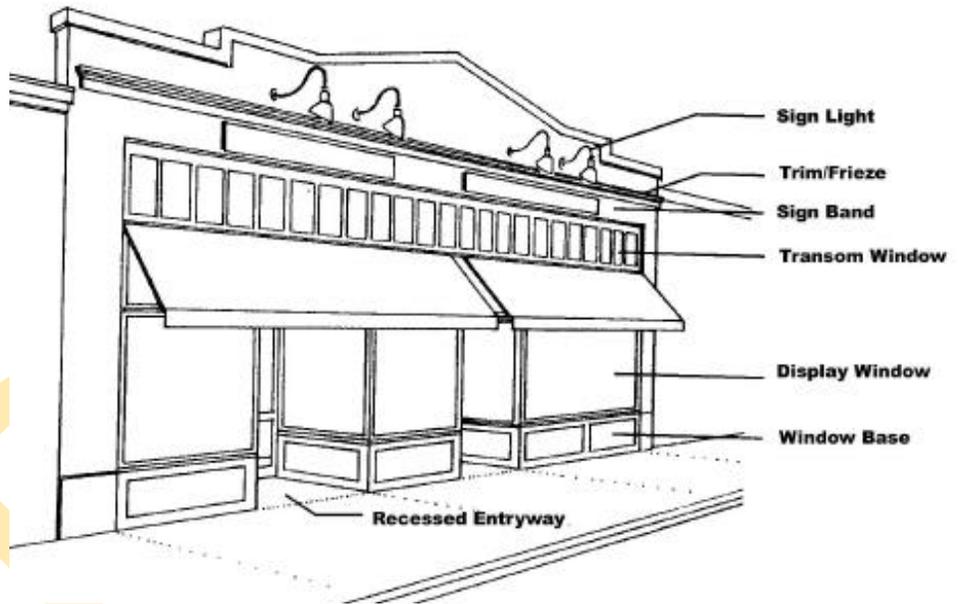
No building shall exceed more than 200 feet of horizontal length without separation. If a building is set back more than 50 feet from the roadway, this requirement shall not be required. For buildings setback less than 50 feet, no more than 100 horizontal feet of façade of the same architectural style shall be allowed, to achieve variation of building design.

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.

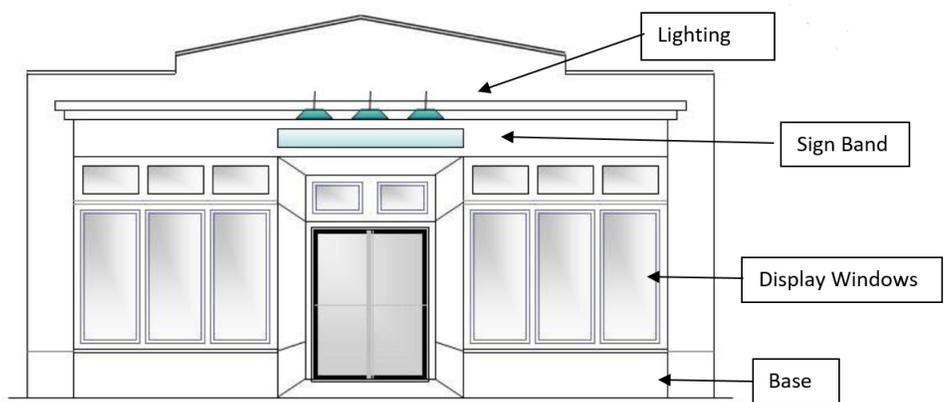
Commercial Façade Treatment Example 1:



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 OAO 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). 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.

- (8) *Architectural Towers, Spires, Green Roof Features, Solar Panels, Penthouse Areas, Chimneys, Or Other Architectural Appendages.* Any architectural tower, spire, chimney, flag pole or other architectural appendage to a building shall conform to the underlying subarea height limit. However, when necessary to

meet the building code requirements, chimneys may exceed the height by the minimum required.

Architectural appendages, roof decks, solar panels, roof garden or green roof features, penthouse areas that do not exceed allowable FAR and are less than 5% of the overall building gross square footage, embellishments and other architectural features may be permitted to exceed the roof heights specified in that subarea, on a limited basis encompassing no more than 30 percent of the building roof length and area, up to ten 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 underlying zoning district unless other parapet heights are more restrictive for the respective underlying 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 & Access Management.*

(1) *Parallel Orange Avenue Access.* Where Palmetto Drive, Vivian Drive and Harmon Drive provide secondary and primary access to properties within the OAO area, portions of these roadways may be closed, vacated or re-aligned, so long as a through access road, as approved by the City Commission, is maintained to allow vehicular access between Orlando Avenue and Denning Drive. A road that allows public through-access in perpetuity via recorded easement or a dedicated public street shall be allowed in-lieu of vacated streets, if approved by the City Commission. Any road shall be constructed at a minimum street width of 20 feet unobstructed and shall have unobstructed vertical clearance per National Fire Protection Act (NFPA) codes.

(2) *Off-Street Parking Requirements.* Unless specifically provided within the OAO, parking spaces, parking management plans and parking leases shall be provided in accordance with the other 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.
- (3) *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, access from cross-access easements shall be utilized. If cross-access 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. Any new driveways or curb cuts along Fairbanks Avenue or Orlando Ave shall require FDOT coordination prior to submittal. Throughout the OAO, 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.
- (4) *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.
- (5) *Bicycle Parking Requirements.* Unless specifically provided within the OAO, bicycle Parking shall be required in accordance with

other 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 OAO. The City shall determine where the off-site parking shall be located.

- (6) *Parking Exclusion.* A parking exclusion shall apply only to existing square footage or floor space. Parking shall be provided as required by the OAO or other provisions of the Land Development Code, where not specifically addressed herein. The OAO shall apply 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.
- (7) *Floor Area Ratio for Parking Structures.* Parking structures shall not count towards the floor area ratio (FAR) for any property within the OAO, 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 at or below fair market value (based on area parking lease comps) to 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 at or below fair market value (based on area parking lease comps) to properties in the area or shall be provided for free public parking.
  - (e) Of the required 50% shared parking that is available (not leased or in use by the onsite businesses at the time), these spaces shall be 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 OAO 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. Because these spaces will not be available for shared or public use, one (1) additional free parking space shall be required for each ten (10) spaces that are dedicated for hotel or residential use. These public spaces shall be maintained as 24-hour, free public parking and shall not count towards additional entitlement achievement.

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

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 the OAO. Parking should also be accessed from side streets to the maximum extent feasible. They shall 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 shall not be exempt from parking garage FAR. Parking structures west of Orlando Avenue shall not be exempt from FAR for structures greater than 2 levels (ground +1).

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 OAO. Requests that meet the criteria for city-wide notice, as defined in Section 58-89, within the OAO shall be required to send notice to all properties within the OAO and all properties within 1,000 feet of the boundary of the OAO. All Conditional Use requests within the OAO 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 OAO to ensure that the development and enhancement of properties includes the creation of meaningful, useable, accessible, green and beautiful open space that invites the public to relax, interact, recreate, unwind

and stimulate social connection. Where properties are planned for redevelopment, meaningful open space and the design of structures around these open spaces is the most important consideration. At a minimum, each property 1.5 acres in size and above, or any project covering 1.5 acres, that is redeveloped shall provide 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 greenspace. 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 OAO 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 OAO 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) OAO 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.

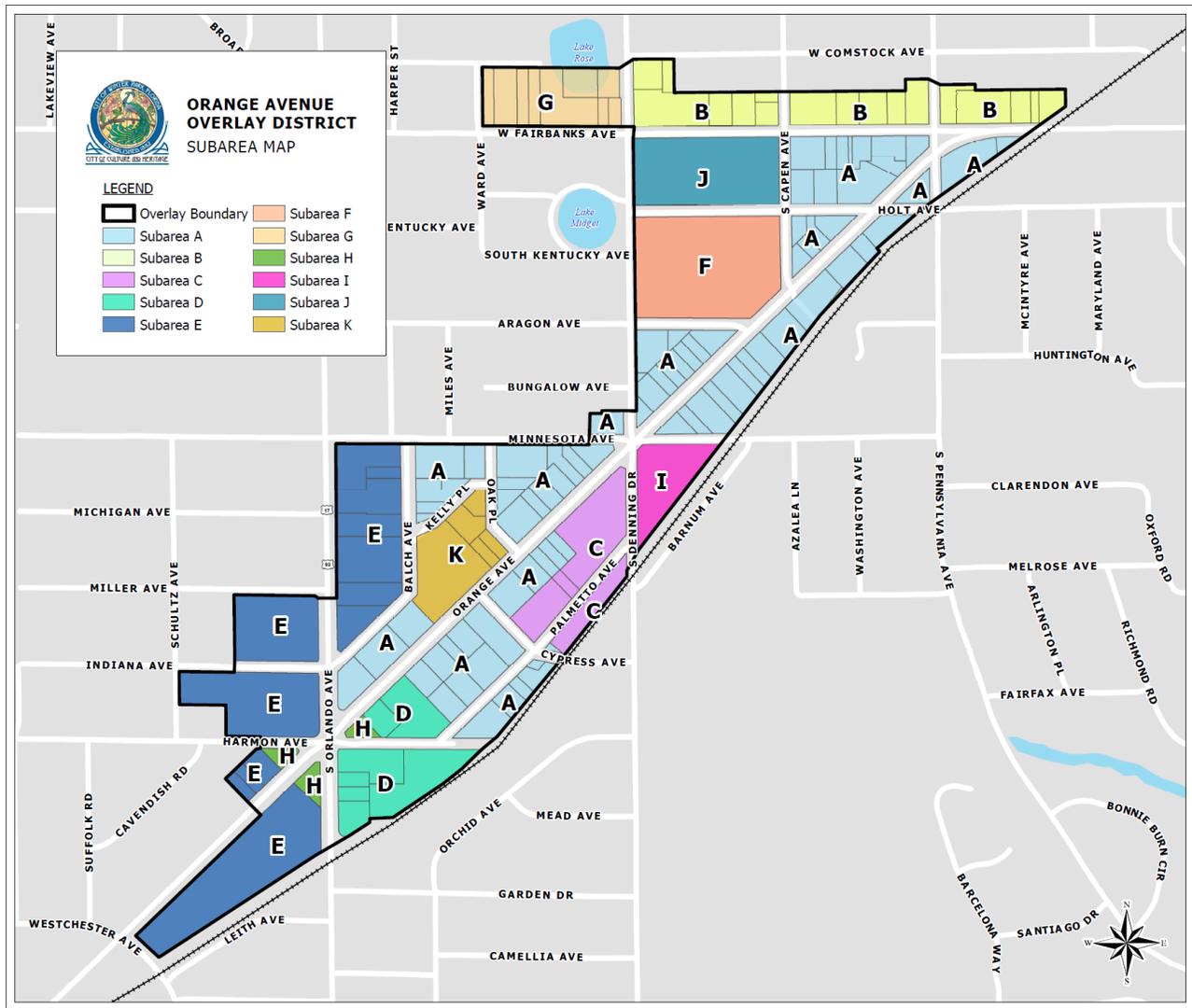
- (6) Ground signs or monument signs (excluding pole and pylon signs) are only permitted within the Subareas C, D, E, I, J and K. Ground signs within these subareas are limited to 30 square feet in size, and shall be located as to prevent interference with pedestrian and vehicular traffic. The design 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 ensure 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 17-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 and constructed at the sole cost of the developer.
- (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 properties within the OAO 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.

- p. *Orange Avenue Overlay District Subareas and Standards for Development.* The subarea map depicted below delineates the different subareas of the OAO and the specific standards, requirements and opportunities for each subarea. Each subarea has unique characteristics, issues and opportunities.



After the adoption of the OAO, 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 not 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 the OAO are the maximum density and intensity parameters potentially permitted in each respective subarea. These maximum 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.

Parcels to be developed or redeveloped within Subareas C, D, I & J shall contain at least 25% of the Cumulative Gross Floor Area as Mixed-Use, ensuring that no single-use 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 OAO, these properties shall not be required to comply with those Land Development Code standards listed below, as long as additional square footage is not added to the buildings. If additional square footage is added, as to parking requirements, the properties shall be required only to provide the required parking for the new net square footage of the property. Any additional impervious surface created shall meet all City of Winter Park stormwater requirements for the new impervious area. All remodels, renovations or reconstructions that are allowed to remain as legally non-conforming under other Land Development Code requirements, shall still be required to meet applicable building and life safety codes as determined by the City Building Official and 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, size and conditions of the property:

1. Floor Area Ratio
2. Minimum Parking Requirements
3. Stormwater Retention (but a minimum of 10 cubic feet of stormwater treatment and storage shall be created)
4. Impervious Surface Percentage
5. Setbacks
6. Landscaping
7. Height (no increase in stories)

(b) *Reconstruction of Buildings.* Given the age of buildings within Subarea A, 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 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 17-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. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  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: 20 feet. 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. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  - 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 Subarea B 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 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
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 property within Subarea C 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 Subarea C and proximity to a unique intersection, this additional requirement creating a viewshed shall apply. The viewshed area is banded by the lines described as follows: Start where the property lines of Subarea C meet at the intersection of Denning Drive and Orange Avenue; then travel 150 feet southwest along Orange Avenue's southeast right of way line; thence easterly to the point on the west boundary of South Denning Drive that is 150 feet south of the starting point; then north along the west boundary of South Denning Drive to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea C.

(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 shall approve the design and location of the sign.

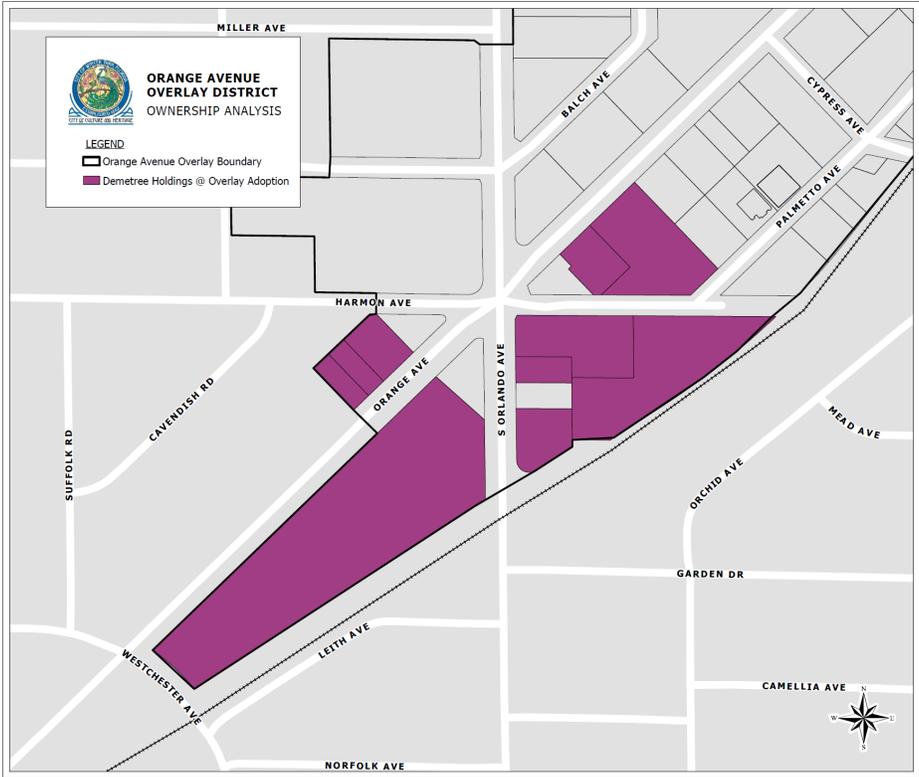
(4) *Subarea D.*

(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. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area on the back of curb along Orlando Avenue., 0 feet along Orange Avenue-except front setbacks must allow for at least a 17-foot wide sidewalk. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  - b. Rear: 20
6. Maximum Residential Density: 17 units per acre

(b) *Density Transfer.* At the time of the adoption of this OAO, the owner of properties within Subarea D or vacated rights-of-way within Subarea D, shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from other properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the map below to this Subarea D, though not the square footage. Once the residential density entitlements are transferred from such other commonly-owned properties, no residential units can be constructed on the property from which the density transfers occurs, and the documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other 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 OAO. Density Transfer shall only allow the transfer of currently entitled units into the defined Subarea D. 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 than those shown on the map below, owned by Demetree Global or subsidiary, shall be eligible for density transfer within Subarea D. The intent is to create



(c) *Required Development Enhancements.* In order to be eligible for any Development Enhancement Bonuses, any future development of the property within Subarea D 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. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  - 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: 20 feet. Setbacks must allow for at least a 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: No Residential Uses Allowed

- (b) *Additional Subarea Requirements:* This area shall not be used for any other future purpose than public space, recreation, open sports/recreation facilities, including ancillary structures, or the parking needed to support these uses. No offices, classrooms, residences or other college uses shall be allowed on the property.

(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: 20 feet. Setbacks must allow for at least a 10-foot wide sidewalk and 2-foot landscape buffer area along Orlando Avenue. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
6. Maximum Residential Density: 17 Units/Acre

*Additional Development Requirements.* This Subarea G represents an opportunity to expand Martin Luther King Jr., Park and to create an increased greenway connection to Mead Botanical Garden and other areas of the city. 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 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
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 within Subarea I 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 creating a viewshed shall apply. The viewshed area is bounded by the lines described as follows: start where the property lines of Subarea I meet at the intersection of Denning Drive and Minnesota Avenue; then travel 50 feet east along Minnesota Avenue's southern right of way line; thence south westerly to the point on the east boundary of S. Denning Drive that is 30 feet south of the starting point; then north to the starting point ("viewshed"). This viewshed shall be an open space area not available for the construction of structures or storage or placement of equipment, material or items otherwise allowed in the OAO. This viewshed is in addition to other setback requirements for Subarea I.

(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: 20 feet Street Setback. 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. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
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 within Subarea J 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 and the required land may be property under common ownership located offsite from Subarea J.

- (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.* At the time of the adoption of this OAO, the owner of the Subarea J property shall be allowed to transfer the existing residential density entitlements, based on the maximum units per acre of the underlying zoning, from properties within the OAO that are under common ownership on the date of the first reading of the Ordinance, as reflected on the below map to this Subarea J. Once the residential density entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which the density transfers occur and documents to be recorded in the Orange County Public Records memorializing this restriction shall be reviewed and approved by the City and thereafter recorded. No properties, other than those shown on the below map owned by Holler Holdings or a subsidiary, shall be eligible for density transfer. The intent is to create nodes of intensity 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 OAO. The map below depicts the properties within this Subarea J that qualify for this density transfer.



(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 17-foot wide sidewalk. Where the building requires an additional setback to achieve a 17-foot sidewalk, the area shall be dedicated as a public access easement. Additionally, all building setbacks shall meet the requirements as depicted of 3.1.i.2
  - 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/Bonuses.* Enhanced development entitlements shall be considered for the OAO, but shall be earned, rather than simply granted.

- (1) *Percentage-Based Development Enhancement Menu.* A percentage-based upgrade system for properties within the OAO is hereby established. For properties to obtain additional development entitlements (FAR) beyond what is provided in the relevant subarea or underlying zoning, the following provisions and Tables are established.

Property owners or developers may use any combination of the Development Enhancement Menu to obtain up to the Maximum Achievable Floor Area Ratio. Certain subareas shall require certain Enhancements to be met. Each development enhancement utilized shall be required to be designed and shown on any development plans submitted for development of a property. Off-site improvements shall require plan submittal for the area where the improvements are proposed. Any enhancement or improvement shall be designed by a licensed professional (Architect, Civil Engineer, Landscape Architect, Structural Engineer, etc) as determined by staff.

The following OAO 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 their designee in order to determine whether and to what extent an increase in FAR is allowed.

**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	<i>Public Art</i>	Each Public Art Installation Shall Earn 1% Entitlement Bonus	Max 5 Locations	5%
AC.2	<i>Gateway Feature</i>	Creation of signage, art or other type of gateway feature that welcomes people to Winter Park.	5%	5%
AC.3	<i>Space For Non-Profit Arts &amp; Cultural Organizations</i>	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	Max 15% Entitlement Bonus	15%

		for similar properties in the area. The rents shall not increase more than 3% per year.		
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**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	Each 5 Dedicated Public Parking Spaces, Which Remain Free for Public Parking at All Times, Shall Earn a 1% Entitlement Bonus	Max 10% Entitlement Bonus	10%
P.2	Screening of Parking Structures	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. This enhancement is in addition to the requirements for FAR exemption.	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 Workforce 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%
OS.3	Tree Fund Donation	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 \$10,000 to the Tree Replacement Trust Fund, a 1% Entitlement Increase Shall Be Granted.	Maximum \$50,000 Donation	5%
OS.4	Mead Garden Improvements	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%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
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**

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
CT.1	<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, to match regional trail widths and 4-foot planting strip along each side within said 20 foot easement, 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 and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 20%	20%

Category Number	Enhancement	Description & Potential Bonus	Enhancement Achievement Maximums	Maximum FAR Increase
		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 to meet and exceed regional trail widths and 4-foot planting strip along each side within said 23 foot easement, 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 and the design of the trail shall be determined on the site plan when a project is submitted for consideration	Max 25%	25%
CT.2	<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%
CT.3	<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%
CT.4	<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%
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) *Common Ownership or Commonly Owned:* Properties shall be deemed to be under "common ownership" or "commonly owned" if the properties are owned by the same entity or affiliated entities with substantially similar control and management.
- (e) *Density Transfer:* The ability to transfer existing underlying zoning density entitlements from one property to another as specifically outlined only in Subareas D or J and the transfer maps for those subareas. The property has to be commonly owned and is subject to the provisions of the OAO. Once residential entitlements are transferred from other commonly-owned properties, no residential units can be constructed on the site from which transfers occur.
- (f) *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.
- (g) *Fast Casual Restaurant:* Fast casual restaurants offer consumers freshly-prepared, higher-quality food in an informal setting, with counter service to keep things speedy.
- (h) *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.

- (i) *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.
- (j) *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.
- (k) *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.
- (l) *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.
- (m) *Meaningful Open Space*: Privately -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 retention ponds, parking lot islands or landscape planting areas around building bases. Meaningful opens spaces are 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.

- (n) *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.
- (o) *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.
- (p) *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.
- (q) *Overlay District*: An area where certain additional requirements are mapped upon an underlying zoning district(s). The district modifies or supplements the underlying 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.
- (r) *Percentage-Based Development Enhancement*: In exchange for the ability to obtain additional development entitlements above those currently allowed by the underlying zoning and the OAO, certain public improvements and area-wide solutions will be required by those who develop or redevelop properties and the requirements for Development Enhancement Bonuses must be met. 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.

- (s) *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.
- (t) *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.
- (u) *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.
- (v) *Residential Density:* Measured in dwelling units per gross acre. Maximum densities determine the number of apartment, townhome, condominium or other multifamily units allowed.
- (w) *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.
- (x) *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 2. Vesting.** In order to not adversely affect development projects that may be in process and for which expenditures have been made in reliance upon the existing code provisions, the City will allow certain developments to be subject to the underlying zoning of the property prior to the adoption of this Ordinance provided such development's site and building floor plans have been received and approved by the City prior to the effective date of this Ordinance. However, for any development project that received a conditional use approval from the City Commission prior to the effective date of this Ordinance, the expiration of that conditional use approval per Section 58-90 shall apply.

**SECTION 3. Severability.** If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

**SECTION 4. Conflicts.** To the extent any provision or provisions of this Ordinance conflict with the provision or provisions of other Ordinances, the provisions of this Ordinance control.

**SECTION 5. Codification.** Section 1 of this Ordinance shall be codified and made a part of the City of Winter Park 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 6. Effective Date.** This Ordinance shall become effective upon the comprehensive plan amendments provided for under Ordinance \_\_\_\_\_ become effective. If Ordinance \_\_\_\_\_ does not become effective, then this Ordinance shall be null and void.

**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.

\_\_\_\_\_  
Mayor Steve Leary

Attest:

\_\_\_\_\_  
City Clerk