



**TOWN OF WINTER PARK  
PLANNING COMMISSION  
Tuesday, May 26, 2020 8:00 AM  
Online Meeting (instructions below)**

**A G E N D A**

- I. Meeting Call to Order.
- II. Roll Call of Commission Members.
- III. Town Hall Meeting (time for anyone from the public to speak about items not on the agenda)
- IV. Minutes for Review: May 12, 2020.
- V. Conflicts of Interest.
- VI. Action Items: None
- VII. Planning Commission Items for Discussion:
  - A. Unified Development Code – Module 1 Discussion
- VIII: Staff Update
  - A. CIRSA's Training - Orientation and Ethics Refresher – June 2<sup>nd</sup>, 3:00pm – 5:00pm

**Online Meeting Log-In Instructions – See next page**

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<https://us02web.zoom.us/j/86926328076?pwd=RGFWUituVVINWDIzY1ZRMzRTTzEwUT09>

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**TOWN OF WINTER PARK  
PLANNING COMMISSION  
Tuesday, May 12, 2020 8:00 AM**

**MINUTE**

- I. The meeting was called to order at 8:00 am.
- II. Roll Call indicated present: Chairman Holzwarth, Commissioners Roger Kish, Dave Barker, Doug Robbins, Johnathan Larson, Community Development Director James Shockey and Town Planner Hugh Bell are present.
- III. Town Hall Meeting.
- IV. Minutes for Review: April 28, 2020. Commissioner Robbins makes a motion to approve the minute. Commissioner Kish seconds. Minute is approved 6, 0.

Commissioner

- V. Conflicts of Interest. None.
- VI Action Items:
  - A. Election of Vice-Chairman

Commissioner Larson nominates Commissioner Kish to be elected Vice Chairman. Commissioner Robbins seconds. There are not more nominations. The rest of the Commissioners cast their vote. Commissioner Kish is elected as Vice Chairman 6, 0.

- B. Residential Design Review - 301, 303, 401, 403, 501 and 503 Reserve Way – continued from April 28, 2020

Town Planner Hugh Bell gives a presentation. Planner Hugh gives the Staff report to the Planning Commission mentioning the red line comments from the previous submittal:

- The HOA (Allegiant Management) has sent an approval letter as 05/11/2020. This letter was sent late in the afternoon so it was not included in the package but, Planner Bell says that he has filed the letter with the application, and he will send the letter to the Commissioners for its review.
- Exterior lighting. Applicant states that all exterior lighting is indicated on A2.1 and A2.2 and that any additional light fixtures are “as selected by owner” and are to be dark-sky compliant. However, Staff requests applicant clarify how they will make sure future owner use dark-sky fixtures.
- The architect has included a new horizontal line representing proposed building heights.
- Regarding landscaping and revegetation, the applicant has indicated the correct areas for snow storage. Prior developers have cleared most of the area when the road was built so, there are not natural features on these sites.
- Driveway slopes. The driveway slope for unit 401 needs to be in conformance with Town

standards and the driveway slopes for units 301 and 303 need to be indicated.

- The building coverage has been addressed by the applicant.

Finally, Planner Bell tells the Commission that Staff recommends approval for all designs with recommendations. Some of those recommendations are:

- No site clearing is permitted until Staff has verified the Pre-Disturbance Checklist.
- Any disturbed areas on the site shall be revegetated with an appropriate seed mix.
- The applicant needs to apply for and pay a Driveway Permit in order to be approved prior to construction.
- A stabilized construction entrance needs to be installed prior to ground disturbance.
- Approved drainage and erosion control shall be in place prior to and throughout site preparation and construction and through successful revegetation.

The applicant is not present.

Commissioner Robbins asks some of the materials on the materials board. Some type of wax coat is mentioned, and he would like to know how that wax on the steel is not going to be shiny or reflective. Commissioner Roger says that the applicant mentioned that the wax would prevent the steel to rust faster than normal; the finish will not make the surface shiny necessarily. It would be more like a finish. Mr. Todd Mohr, representing the applicant, adds that the wax finish is not a glossy finish; it will be matte.

Mr. Mohr then talks about how the dark sky compliance will be enforced in the future. The applicant is the owner of the project however, once the units are sold, they will not be able to control how the individual owners might change the exterior fixtures. Mr. Mohr acknowledges that this is a requirement; they have selected dark sky compliant fixtures for the exterior lights from the beginning and they will continue to do so.

Regarding driveway slopes, Mr. Mohr affirms that they have those marked for units 301 and 303 and unit 401 is in compliance. Mr. Mohr states that they have some sketches that have the measurements that are in compliance; they will submit all the updated information about these three units' driveways to Staff.

Commissioner Robbins makes a motion to approve the design reviews for all six (6) units with Staff recommendations. Commissioner Barker seconds. Motion is approved 6, 0.

### C. Zoning Amendment – C1 Zone District

Planner Bell gives a staff report to the Planning Commission. The Town desires to allow the construction of boutique hotels as a permitted use in the C-1 zone district based on the objective of this district and the strategies outlined in the Imagine Winter Park Plan.

Planner Bell reads the key points sent in the package to the Commissioners on Friday May 8, 2020. This include a description of what a boutique hotel is:

“A boutique hotel typically contains fewer than 50 rooms and is often uniquely designed to take advantage of its surrounding area. The C-1 District of Town encompasses roughly ten acres in Old Town and is located within walking distance of Winter Park Resort and its resultant amenities such as restaurants, bars, retail establishments, and recreational opportunities”.

Then, Planner Bell summarizes what the Town Code Section 7-5D states about the objective of a C-1 zone district.

Planner Bell finishes by saying that Staff feels that a boutique hotel achieves this objective on the northern area of Old Town. Currently, the majority of hotels are located on the southern area near the Resort's Village Court. Additionally, a boutique hotel will have a positive impact on the surrounding businesses. This type of hotel would blend more easily where there are residential units.

Planner Bell continues by saying that this type of hotel allows people to stay in the facilities for a maximum of 30 days. The rooms are accessible from a common area.

Regarding public comments, the Staff has not received any public comments up to today's date. The public was notified as required by the Code.

Staff is asking the Planning Commission to submit any comments regarding this topic. Then, a recommendation will be forwarded to the Town Council for consideration at the Public Hearing scheduled for May 19, 2020 (first reading) and June 2, 2020 (second reading).

Chairman Holzwarth if this would exclude hostels. Director Shockey says that hostels require a separate permit use.

Commissioner Kish asks about the number of units for hostels, specifically about the maximum number of units (50) and the reasons why it was determined that 50 units are the maximum allowed for a boutique hotel. Planner Bell replies that the 50 unit maximum was established due to the size of the area, in this case, a smaller one than a regular hostel or hotel.

Commissioner Barker asks why this is not called simply "hotel" as opposed to "boutique hotel" and if a boutique hotel is affiliated to a large hotel chain, it would be appropriate for this area. Director Shockey replies that the reason for the unique definition is to limit the size in areas like the middle of the Old Town and, also to minimize the impact as well; that the term was chosen and recommend by the Legal Counsel. Regarding the second question, Planner Bell tells the Commission that there is not restriction about the possibility of a national hotel chain to apply for a building permit for a boutique hotel.

Chairman Holzwarth asks if there would be enough land for a 50-unit hotel. Director Shockey replies that 2/3 of the remaining 10 acres are still available for construction of the boutique hotel.

Commissioner Stevens asks if it possible to take a look of the C-1 zone on the Old Town map on the screen. Director Shockey shows the map on the screen to the Commissioners.

Commissioner Barker asks if there is an incentive to attract developers and how this would affect existing business in terms of reclassification. Director Shockey replies that there are no incentives at this time. About impact on existing businesses, Director Shockey says that it is not expected to.

Chairman Holzwarth asks if someone wants to build a condominium complex it would be considered a boutique hotel. Director Shockey answers that it would not. Chairman Holzwarth also asks if the room number restriction would prevent a large chain hotel from building a facility with over 50 rooms. Director Shockey replies that the maximum number can be changed. The 50-room limit was chosen based on studies. If the Planning Commission would like to change it, they are able to do so. Commissioner Kish wonders if raising the number of rooms would be good for Old Town. He thinks that 50 rooms would be appropriate for this particular area. If someone wants to build a bigger hotel, they can choose a lot in

a DC zone.

Chairman Holzwarth asks how many rooms the last applicant was proposing and if Bed & Breakfast are allowed. Director Shockey replies that they were proposing 25 rooms initially. Planner Bell says that Bed & Breakfast are permitted in C-1 zone.

Chairman Holzwarth opens the meeting for public comments. No one comes forward.

Commissioner Stevens makes a motion to approve the zoning amendment to C-1 District. Commissioner Larson seconds. The motion is approved 6, 0.

D. Amendment to Rendezvous Final Development Plan – request to table to May 26<sup>th</sup>.

They are not ready to move forward. Staff is requesting to table this topic until May 26<sup>th</sup>, 2020.

Commissioner Robbins makes a motion to table it until the date mentioned above. Commissioner Larson seconds. Motion to table is approved 6, 0.

VII. Planning Commission Items for Discussion:

A. Unified Development Code – Permitted / Prohibited Materials / Primary and Secondary Materials

Planner Bell gives a report. The Staff has received feedback from the consulting firm. It essentially divides the materials in primary, secondary, and prohibited. For the second category, the amount of that material allowed in the building was included as well.

Mr. David Baird, from Kending Keast Consulting, describes to the Planning Commission the process to choose the materials based on experience and what it is expected and desired for Town of Winter Park. Mr. Baird makes emphasis on the Design Guidelines: building orientation (residential and non-residential).

Commissioner Stevens has some comments about the exterior material standards. He thinks that it might be difficult for many developers to comply with some of the requirements due to topographic reasons. He suggests that this could be a design guideline instead of a code item. Mr. Baird agrees with Commissioner Stevens and he says that they can go and make the necessary adjustments.

There is a discussion about exposed foundations. On the Code, exposed foundations must be covered. Commissioner Kish would like to keep this requirement. Mr. Baird says that there are two different options to address that in case the building is located on a slope. Commissioners Robbins and Barker think it needs to stay as a requirement. The also add that the material used to cover the foundation needs to be resistant enough for rough weather.

Commissioner Barker asks if it is possible to have two different standards: one for the side facing the street and another one for the other sides. He would like to be more lenient on the sides of the house. Mr. Baird says that it is possible to do that. Commissioner Kish interjects and says that, although he understands the reasons to be more lenient on the sides, many of the properties are visible from different points of view, not just the main street. He thinks that if they are more flexible with the sides, more exposed foundation will be seen. Commissioner Barker agrees but he says that he is talking more about measurements like having 6 in. on the front and 12 in. on the sides, for example. Commissioner Robbins interjects and says that it is necessary to keep the consistency on all sides since it will be according to what

the Code says.

Commissioner Kish asks about concrete masonry units and architectural finishes in this material. His question has to do with the possibility to include this in the prohibited material list. There is a short discussion about this topic. Commissioner Stevens says he would not mind keeping it in that list. Commissioner Robbins says that it could go either way and that talking about what it would be considered an excessive use is also necessary. Mr. Baird agrees and adds that it would be in line with the secondary materials list and guidelines. He finishes by saying that some other jurisdictions have taken that path to address this topic.

Then, Commissioner Stevens asks if they should be looking at minimum standards since more affordable housing projects are being built: trailers on foundations, modular homes and similar. The challenge is to find a balance between design, aesthetics, and affordability. Mr. Baird says that one option could be to allow this type of construction in certain areas. Commissioner Barker says that “affordable” does not mean “boxy” necessarily. There is a short discussion about this topic.

The next part of the meeting is a continuation of the type of materials, colors, and finishes. Commissioner Kish has a couple of comments regarding the contents of one of the tables in the document: window finishes (copper, painted steel, and zinc) and, entry garage doors. To him, the use of these materials is not appropriate. Planner Bell says that the information was included based on how other towns have used these materials. There is a discussion about how to modify the content.

#### B. Unified Development Code – Design Guidelines Layout

Planner Bell talks about the changes that were made on the layout. Planner Bell shows on the screen so the member of the Planning Commission can see the changes as he describes what was modified. Director Shockey asks the Commissioners which layout they prefer so they can move on and finalized the guidelines.

Commissioner Roger says he likes the revised layout. Commissioner Robbins and Chairman Holzwarth also like the second one.

#### VIII: Staff Update

Director Shockey informs the Planning Commission there is a meeting scheduled for May 26<sup>th</sup> about the final development plan for Rendezvous and, additional sections of the UDC.

Director Shockey says that the Building and Planning Department have not slowed down even with the COVID-19 pandemic.

Commissioner Barker makes a motion to adjourn the Planning Commission meeting. Commissioner Stevens seconds.

Upon a previously adopted motion, the meeting was adjourned at 9:22 am.

**MEMO**

**TO** Planning Commission  
**FROM** Hugh Bell, Planner  
**THRU** James Shockey, Community Development Director  
**DATE** May 26, 2020  
**RE** Unified Development Code – Module 1 Review

Staff is reviewing Module 1 of the draft Unified Development Code and has highlighted several items needing Planning Commissioners' feedback. Module 1 includes the following chapters: Chapter 1, *General Provisions, Transitional Provisions, and Vested Rights*; Chapter 2, *Zoning Districts and Use Standards*; Chapter 3, *Development Standards*; and Chapter 5, *Environmental Standards*.

Staff has reviewed Chapters 2 and 3 as these concern permitted land uses and development and building standards, which will inform much of the changes in Town's zoning.

Code Section	Proposed Code	Existing Code	Staff Remarks
2-B-3-H	Ground- or structure-mounted solar collectors shall be set back from property lines a distance equal to that of detached accessory buildings.	N/A	Removing ground-mounted panels as an approved solar collector & propose adding: <i>Roof-mounted solar panels shall be installed to match the pitch of the roof to which they are attached, installed directly to and in parallel with the roof form. Panels shall not project above the ridge, and to the extent practical, should generally fill the roof plane to which they are attached, resulting in the appearance of a full-coverage material over the roof plane. Panels shall not be staggered along roof valleys, nor stopped short of gable or shed roof edges. To the extent practical, solar panels should be selected and installed in a manner that minimizes reflectivity and glare.</i>

2-B-2	Bed and Breakfast as a Limited Use in the R-C District	Not a Permitted Use in the current R-C District	Adding this as a Limited Use in R-C.
8-C-1	Bed and Breakfast means a business which provides accommodation to guests for sleeping, eating and bathing in a dwelling unit. The owner, lessee or manager of the bed and breakfast shall be a person and reside on the premises. Dwelling units providing this service shall be limited to not more than five sleeping rooms, of which no more than four may be used for rental purposes.	Dwelling units providing this service shall be limited to not more than five (5) sleeping rooms, of which no more than four (4) may be used for rental purposes. Any bed and breakfast business with more than five (5) sleeping rooms must obtain a special use permit. (Ord. 317, Series of 2002)	Should Bed and Breakfast be permitted to have more than 5 sleeping rooms if a special use permit is obtained?
2-B-2E-5a	Hotels or Motels in R-C District shall:  "Set external balconies a minimum of 50 feet from any single-family residential district (measured along a straight line from the ground below the balcony to the closest single-family residential district boundary line)..."	NA - Hotels are permitted in the R-C District without this requirement.	Should hotel rooms with balconies in R-C be required to be at least 50' from any residential district?
2-B-1; 2-B-2	Currently "Boutique Hotel" is not listed as a distinct land use and is grouped under "Hotel or Motel" within the 2-B-1 Use Table. There is a separate	N/A – "Boutique Hotel" not definition in old code	Do we want "boutique hotel" to appear as a distinct land use in Table 2-B-1, and do we want "Boutique Hotel" to have its own definition within the UDC?

	Limited Use section dedicated to it however (2-B-2).		
2-B-2	N/A	N/A	Should we add backyard chickens as a permitted use in R1, R2, and R2-O under Agricultural use category?
2-B-1	<p>“Animal, crop, and farm equipment storage” is Permitted Use in ME.</p> <p><b>Animal, Crop, and Farm Equipment Storage:</b> a structure designed for the indoor storage of animals (not consisting of a feedlot), harvested crops, and farm equipment.</p>	N/A	Staff finds this permissible as ME lots are large and would provide adequate space between residences
2-B-1-2	“Convenience Store and Gasoline Station” is permitted in R-C as a Special Use	Permitted in the R-C District as a Special Use	<p>Should we remove gasoline convenience stores as a Special Use in this district? The <i>Imagine</i> plan proposes eventually rezoning R-C as D-C.</p> <p>Additionally, convenience stores/gasoline stations are not an encouraged use in <i>Imagine</i> or in the Downtown Plan.</p>
3-A-3	<p>How is “story/stories” defined in the UDC?</p> <p>Currently defined as: Any level part of a building that could be used by people (for living, work, storage, recreation, etc.). For each story allowed, the plate height can</p>	N/A	<p>The UDC proposes to measure based on stories and building height. How do you define 2.5 stories?</p> <p>The current definition has a strikethrough.</p> <p>The current definition seems like it could use stronger language to define plate height,</p>

	<p>be 10 feet. Therefore, the maximum wall plate height for a structure shall be determined by multiplying the number of stories allowed for the structure type by 10 feet.</p>		<p>e.g. “shall be 10 feet” rather than “can be 10 feet.” Height standards should be discussed.</p>
<p>3-A-7E</p>	<p><b>Building Height. Measured in Feet.</b> When measured in feet, building height refers to the vertical distance between the average finished grade along the wall facing the front street yard at the base of the building and: The highest point of the coping of a flat roof; The deck line of a mansard roof; or The average height level between the eaves and ridge line of a gable, hip or gambrel roof. <b>Increased Height Allowance.</b> Roofs of principal buildings with a pitch greater than 6:12 shall be allowed an additional five feet above the maximum building height in the district, provided that snow shall not shed onto an adjacent property or into any pedestrian areas. Accessory buildings and structures regardless</p>	<p><b>7-3-17: Building Height</b> It is the responsibility of the property owner to design a structure that will fit the natural or existing contours of a site. No excessive fill or excavation will be permitted to create an exaggerated building site to enhance view corridors, etc. When calculating building height in residential zone districts applicants must adhere to the following principals: A building with a pitched or hipped roof shall not exceed thirty five feet (35') when measured to the midpoint of the pitched or hipped roof. The highest point of a pitched or hipped roof shall not exceed forty two feet (42'). (See figure 1 of this section.) (Ord. 423, Series of 2009) (Ord. 324, Series of 2002) On sloped building</p>	<p>Should building height be calculated on the average grade between the high point and the low point of finished grade?  Should it be measured from original grade or finished grade, whichever is more restrictive?  The current definition is more strict than the proposed. Which definition do we want to use?</p>

	<p>of roof pitch shall not be allowed any additional building height.</p>	<p>sites, structures should step up the hillside. The overall height of a terraced or stepped structure shall not exceed fifty five feet (55') measured from the elevation of the lowest point of an exposed foundation at finished grade or preconstruction elevation whichever is greater to the highest point of a roof elevation. (See figure 2 of this section.) (Ord. 423, Series of 2009) (Ord. 324, Series of 2002)</p>	
<p>3-A-7C</p>	<p><b>Building Coverage.</b> Building coverage is calculated as the percent building coverage on a lot by dividing the area of a building's footprint, measured from the outer surface of the exterior walls or support structure, by the area of the lot, using the following standards: Include any structure under a roof when calculating coverage. Do not include trellises or similar structures with open sun baffles or shades. Do not include the portion of any uncovered and unenclosed deck, porch, landing,</p>	<p><b>Building Coverage Ratio:</b> The percentage of building coverage as it relates to the parcel as a whole. The sum of the building footprint (including roof overhang, patio, deck, etc.) and impervious surfaces (driveways, sidewalks, etc.) square footage divided by the total square footage of the parcel. See each zone district for specific maximum building coverage.</p>	<p>Proposed definition is less restrictive. Which definition do we want to use?</p>

	balcony, planter, or stairway that is less than 36 inches above grade.		
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**3-3-C: Building Material Standards**

<b>Code Section</b>	<b>Proposed Code</b>	<b>Staff Remarks</b>
3-C-3D	D. Primary Materials 2. Metals limited to: a. Oxidized metal; b. Weathering metal (e.g. Corten); and c. Non-reflective metals;	Aren't oxidized metals and weathering metals the same thing?  Staff proposes removing "non-reflective metals" from the list and rewriting as, "Metals shall be non-reflective and are limited to..."
3-C-3E	E. Secondary Materials 5. Brick, genuine (in all zoning districts other than DC)	Brick seems like a material more appropriate only to Downtown buildings and not to residences. Does not seem like a "mountain modern" residential material.

## Article 3.A. Lot and Building Standards

### Sec. 3-A-1 Purpose

The purpose of this Article is to establish standards for residential, nonresidential, and mixed use development including:

- A. Residential standards for lot area, lot width, lot depth, maximum building height, and setbacks, required open space percentages, maximum building coverage, and development density;
- B. Nonresidential and mixed-use standards for street frontage, landscape surface ratio, floor area ratio, maximum building height, maximum building coverage and setbacks, and parking standards;
- C. Flexible development provisions for residential, non-residential, and mixed uses that are designed to accommodate topographic conditions, preserve sensitive lands, protect natural resources, and to conserve the character and integrity of established neighborhoods throughout the Town; and
- D. Creative site planning standards that work to implement principles of the Town's 2019 Imagine Winter Park Plan designed to make the Town more compact and pedestrian-oriented.

### Sec. 3-A-2 Applicability

- A. This Article applies to all development and redevelopment or substantial improvement of property within the corporate limits of the Town unless a residential district or districts is specified.
- B. For additional information above the standards provided in this Article, see the Site Design Guidelines in Appendix A, Part 2 of the Town's Design Guidelines.

### Sec. 3-A-3 Residential Districts

- A. **Dimensional Standards.** Set out in Table 3-A-3, *Residential Lot and Building Standards*, are the allowable development and housing types, development density, open space requirements, maximum building coverage, lot area and width, and maximum building height and setback standards for the residential districts set out in Sec. 2-A-4, *Base Zoning Districts*. All development types within each district are allowed by-right, subject to the applicable standards.
- B. **Limitations.** Not all parcels proposed for development may achieve the maximum density due to factors such as parcel geometry; physical conditions such as slopes, soils, and natural hazards; infrastructure limitations; or restrictions on proposed uses. Accordingly, the application of the standards of this UDC may, in some cases, limit the development potential of a parcel to less than what is provided by this Section.

Table 3-A-3 Residential Lot and Building Standards														
ZD <sup>1</sup>	Housing Type <sup>15</sup>	Development Type	Density <sup>13</sup>	Open Space % <sup>14</sup>	Max. Building Coverage <sup>1</sup> %	Minimum Lot			Maximum Height <sup>12</sup>		Minimum/Maximum Setbacks <sup>3, 6</sup>			
						Area <sup>2</sup>	Width	Depth	Feet	Stories	Front	Corner	Side	Rear
<b>Mountain Estate</b>														
ME	Single-Family Detached	Standard	1.00	0.00	30	43,560	150	290	35	3.0	50	35	20	50
		Cluster	1.30	0.30		21,780	90	240	35	2.5	35	25	15	35
		Conservation	1.75	0.50		10,890	75	145	35	2.5	30	20	8	30
<b>Single Family Residential</b>														
R-1	Single-Family	Conservation	4.84	0.10	40	7,650	60	100	35	2.5	25	15	10	20
		Cluster				9,000 <sup>5</sup>	75	120	35	2.5	25	15	10	25

**Table 3-A-3  
Residential Lot and Building Standards**

ZD <sup>1</sup> <sub>1</sub>	Housing Type <sup>15</sup>	Development Type	Density <sup>13</sup>	Open Space % <sup>14</sup>	Max. Building Coverage <sup>1</sup> %	Minimum Lot			Maximum Height <sup>12</sup>		Minimum/Maximum Setbacks <sup>3,6</sup>			
						Area <sup>2</sup>	Width	Depth	Feet	Stories	Front	Corner	Side	Rear
	Detached	Standard				10,350	85	120	35	2.5	30	20	15	30
<b>Multiple-Family Residential</b>														
R-2 <sub>7,8,9</sub>	Zero Lot Line <sup>4</sup>	Single-Family Detached	6.00	0.10	40	6,000	50	120	35	2.5	25	10	0/10	20
	Duplex / Twin Home	Single-Family Attached	9.50	0.10		3,750	50/25	120	35	2.5	25	12	5/0	20
	Multiplex	Triplex and Quadplex	11.50	0.12		3,000	25	120	35	2.5	25	15	10	20
	Townhouse / Rowhouse	Standard Attached	13.00	0.15		2,500	25	120	35	2.5	25	15	0/10	20
	<b>Permitted in R-2 and DC Districts</b>													
	Apartment	Multi-Family	32.00	0.20	40	1,500	85	150	45	3.0	25	20	15	30
	Live-Work	Mixed Use	--	--		5,000	50	100	35	2.5	25	20	15	30
	Commercial	Limited	--	--	--	See Table 3-A-4								
<b>Multiple-Family Residential District Within Old Town</b>														
R-2-O <sup>10</sup>	All	Existing Development	--	--	70	3,000	50	65	35	2.5	15	15	5	10
	Infill	Redevelopment	--	--		Smallest similarly developed lot on block face or opposing block face in the R-2-O district	Tallest similarly developed dwelling	Average front setback and prevailing corner and side setbacks on block face						
<b>Notes:</b>														
Unless otherwise stated all measurements are in feet.														
1. See Sec. 3-A-6.C, <i>Building Coverage</i> , for method of calculation.														
2. Minimum lot area is calculated in square feet.														
3. Permitted commercial and mixed uses shall maintain minimum setbacks from all residential property lines by a distance equal to the building height.														
4. Zero lot line dwellings may be located on or within one foot of one side lot line provided a minimum three-foot maintenance easement is established.														
5. An average of 9,000 square feet is required across each phase of development with the minimum and maximum lot areas no less or more than the small and large lots.														
6. The front and rear setbacks may vary by up to 20 percent for topographic purposes only, provided street-facing garages are a minimum depth of 20 feet.														
7. Garages that access an alley shall be set back a minimum of five feet or 20 feet for head-in access from the alley.														
8. Apartment, commercial, and mixed use development requires a site plan addressing common site access and circulation, building height and bulk transitions, landscaping and pervious area, and building materials and design. Development within the Downtown Design District are subject to the standards of <a href="#">Article 3.B, Development Design</a> .														
9. The net densities are shown for each housing type. The cumulative gross density in the R-2 district may not exceed 20 units per acre.														
10. Refer to Sec.3-A-5.F, <i>Neighborhood Conservation</i> .														
11. ZD = Zoning District														
12. To calculate maximum building height, see Sec. 3-A-7.E, <i>Building Height</i> .														
13. To calculate density, see Sec. 3-A-7.F, <i>Density</i> .														
14. To calculate open space, see Sec. 3-A-7.I, <i>Open Space</i> .														
15. Illustrations of the different housing types are provided in Sec. 3-B-3, <i>Housing Types Examples</i> .														

**C. Alternative Land Ownership Arrangements.**

1. *Generally.* The standards in Table 3-A-3, *Residential Lot and Building Standards*, typically relate to the development of dwellings on lots of record by fee-simple ownership. However, these standards do not preclude other ownership types, such as single-ownership of all units (rentals); condominiums (in which the

land is owned in common by the owners of the condominium units); or common maintenance communities (in which fee-simple ownership is limited to the land under the building, and, in some cases, a small area around it). The above standards allow such alternative ownership arrangements provided a development may be approved pursuant to this UDC.

2. *Demonstrated Compliance.* A proposed pattern of development is allowed provided it is demonstrated that it will comply with the lot dimensions and setbacks as if it were platted with lots that meet the requirements of this Section.
- D. **Bonuses.** Set out in Table 3-A-3, *Residential Lot and Building Standards*, are the densities permitted for each district and development type. For example, in the Mountain Estate (ME) district, there are standard, cluster, and conservation development types. These types are permitted by-right in this district. The cluster and conservation development types each provide relative increases in density proportional to increases in the minimum open space. These options provide density bonuses for the preservation of open space and protection of natural resources.
- E. **Attainable Housing.** In a mountain resort community, maintaining available units that are attainable for residents and the service sector workforce is essential to the local housing market and employment base. To provide an incentive for the production of attainable ownership and rental units, density bonuses are available to eligible projects to increase development efficiency and decrease per unit development costs
1. *Required.* All new residential and mixed-use development shall provide a minimum of five percent of all new units as Attainable Dwelling Units as defined in Sec. 8-C-1, *Definitions*.
  2. *Fee-in-Lieu.* A developer of any residential or mixed-use development may choose to pay an optional fee-in-lieu and not construct the required attainable units. See Title 6, Chapter 5, *Affordable Housing of the Town's Code of Ordinances*.
  3. *Attainable Housing Bonuses Eligibility.*
    - a. Eligible housing projects include residential or mixed-use developments for which at least 30 percent of the total dwelling units qualify as attainable dwelling units.
    - b. Any development eligible for the attainable housing density bonus shall not be required to pay any fee-in-lieu amount.
  4. *Attainable Housing Bonuses Available.* The permitted gross densities of each district and development type set out in Table 3-A-3, *Residential Lot and Building Standards*, may be increased by 20 percent if the applicant demonstrates compliance with the provisions of this paragraph. Such increase in density may be achieved by:
    - a. Increasing the percentage of small lots to raise the average density to 5.00 units per acre;
    - b. Altering the mix of housing types in the Multiple-Family Residential (R-2) district to increase the cumulative gross density from 20 to 24 units per acre;
    - c. Utilizing the neighborhood conservation standards to rehabilitate, expand, or construct homes on infill lots within Old Town; and/or
    - d. Increasing the height of a multi-family or mixed-use developments in the DC district by 10 percent of the permitted maximum height and/or FAR of that district provided that the placement of all buildings satisfies the requirements of Sec. 5-A-1, *View Protection*.
  5. *Development Requirements.*
    - a. Attainable Dwelling Units:
      1. Must be of the same type and proportion as the market-rate units in the development;
      2. Shall be provided within each phase of development in proportion to the number of units in that phase; and
      3. Shall be integrated throughout the development and not in a single area of the development.

- b. A studio unit must be at least 500 square feet in floor area, which may not constitute more than 50 percent of the attainable units.
- c. The development application must include:
  - 1. A description of whether the development will contain owner-occupied or rental units, or both;
  - 2. The total number and type of market-rate units and attainable dwelling units in the development;
  - 3. Prior to the issuance of any building permits for any portion of the development, an attainable dwelling unit plan that includes:
    - a. The number of bedrooms in each market-rate unit and each attainable dwelling unit;
    - b. The square footage of each market-rate unit and each attainable dwelling unit;
    - c. The location of each attainable dwelling unit within any multiple-family residential structure, within any single-family attached or detached residential development, and units within a mixed use building or development.
  - 4. Compliance with all other provisions of this UDC.

6. *Design Requirements.*

- a. Attainable dwelling units must be indistinguishable from market-rate units including use of the same types and qualities as the market-rate units.
- b. Interior features of attainable dwelling units shall be functionally equivalent to the market-rate units, though the finishes and materials need not be identical.
- c. Attainable dwelling units shall be comparable to the market-rate units in terms of improvements related to energy efficiency, which include, but are not limited, to mechanical equipment and plumbing, insulation, windows, and heating and cooling systems.

7. *Owner-Occupied Attainable Dwelling Units.*

- a. Eligibility. Prospective buyers of new attainable dwelling units shall be screened and determined eligible by the Town, or a designee, prior to occupancy or closing on a new attainable dwelling unit,
- b. Term of Affordability. Resale of attainable dwelling units shall be limited by deed restriction
  - 1. A copy of such executed deed restrictions shall be submitted to the (WPHA) for approval prior to issuance of a certificate of occupancy for any portion of the development.
  - 2. The deed restrictions shall require notice to the WPHA of any conveyance of the attainable dwelling unit, and verification that the purchaser is qualified pursuant to the requirements of this UDC.
  - 3. If, while occupying an attainable dwelling unit, a household's work status changes to a non-eligible type beyond that permitted in the definition of attainable dwelling units, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be sold to a qualifying household pursuant to the requirements of this UDC for the period the unit is deed restricted as an attainable dwelling unit.

8. *Renter-Occupied Attainable Dwelling Units.*

- a. Eligibility. Prospective renters of attainable dwelling units shall be screened and determined eligible by the Town, or a designee, prior to occupancy. All of the following requirements are applicable and subject to final approval by the WPHA:
  - 1. Any time a new tenant occupies an attainable dwelling unit, the owner must provide an affidavit to the WPHA assuring compliance with fair market rents, published annually by the U.S. Department of Housing and Urban Development.

2. Term of Affordability. Rental attainable dwelling units shall be limited by deed restriction:
  - a. A copy of such executed deed restrictions shall be submitted to the WPHA for approval prior to issuance of a certificate of occupancy for any portion of the development.
  - b. The deed restrictions shall require notice to the WPHA of any lease renewal or new rental contract for the attainable dwelling unit, and verification in the form of an affidavit that the tenant is qualified.
  - c. If, while occupying an attainable dwelling unit, a household’s workforce status changes, the household shall not be required to vacate the unit. Upon vacating the premises, the unit shall be rented to a qualifying household for the period the unit is deed restricted as an attainable dwelling unit.
  
- b. Deed Restrictions. At a minimum, deed restrictions shall include:
  1. Duration of the restriction (if applicable);
  2. Occupancy requirements and restrictions against leasing/sub-leasing;
  3. Restriction on resale;
  4. Requirement to notify the WPHA in the case of conveyance (for owner-occupied units), lease renewal (for rental units), or establishment of a new rental contract (for rental units);
  5. Right of first refusal, if applicable.
  
9. *Violations.* Any sale or rental of attainable dwelling units during the term of affordability to persons that do not meet the eligibility requirements shall constitute a violation and the provisions of [Article 7.H, Enforcement, Violations, and Penalties](#).

### Sec. 3-A-4 Nonresidential and Mixed-Use Districts

Set out in Table 3-A-4, *Nonresidential Lot and Building Standards*, are the lot, building, and parking standards applicable to each nonresidential and mixed use district.

Table 3-A-4 Nonresidential Lot and Building Standards				
District		Residential-Service (R-C)	Limited Commercial (C-1)	Destination Center (DC)
<b>Lot Standards</b>				
Street Frontage (ft) <sup>1</sup>	Minimum	50	50	50
Landscape Surface Ratio (%) <sup>2</sup>		0.20	0.15	0.10
<b>Building Standards<sup>3</sup></b>				
Floor Area Ratio (%) <sup>4</sup>	Maximum	0.370	0.420	0.670 / 1.125 / 1.450
Height (ft) <sup>5</sup>		35	35	55
Coverage (%)		0.40	0.50	0.60
Minimum Setbacks (ft)	Front	20	20	0
	Interior Side	15	7.5	10
	Corner	20	15	10
	Rear	20	15	10
<b>Parking Standards</b>				
Spaces	Minimum	See Sec. 6-A-3, <i>Required Parking</i>		
Minimum Setbacks	Front	15	12	--
	Corner	10	8	10

**Table 3-A-4  
Nonresidential Lot and Building Standards**

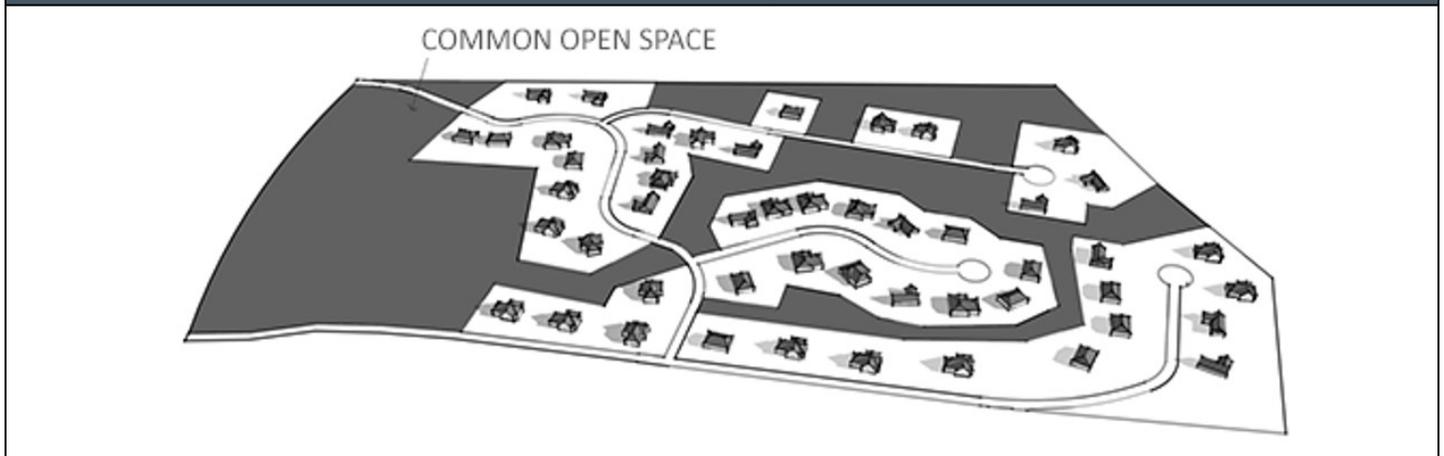
District	Residential-Service (R-C)	Limited Commercial (C-1)	Destination Center (DC)
<p>Notes</p> <ol style="list-style-type: none"> <li>1. Lots that front on collector and arterial must conform to the standards in Sec. 6-A-8, <i>Access Management</i>.</li> <li>2. The Landscape Surface Ratio (LSR) accounts for building and parking setbacks and on-lot landscaping.</li> <li>3. All commercial and mixed uses shall be set back from all residential property lines a distance equal to the allowable building height.</li> <li>4. The Floor Area Ratio (FAR) accounts for the landscape surface ratio, required on-site parking, and maximum building height. For the DC district, the FARs are for surface parking and two- and three-level parking structures.</li> <li>5. To calculate maximum building height, see Sec. 3-A-7E, <i>Building Height</i>.</li> <li>6. For residential uses permitted in these districts, as set out in Sec. 2-B-1, <i>Use Tables</i>, refer to Table 3-A-3, <i>Residential Lot and Building Standards</i>, for the applicable lot and building standards.</li> <li>7. <b>Hotels/Motels are permitted to have enhanced density standards.</b></li> </ol>			

### Sec. 3-A-5 Flexible Development Provisions

- A. Variable Lot Dimensions.** As set out in Sec. 3-A-3, *Residential Lot and Building Standards*, within the Multiple-Family Residential (R-2) and Single-Family Residential Within Old Town (R-2-O) district, there are alternative lot areas, widths, and dimensions, provided the average lot area and density is met across each development phase. These alternatives may be used provided:
1. The lot is occupied by a single-family detached residential unit and any permitted accessory uses or accessory dwelling unit on the same lot.
  2. The number of dwelling units is the same as for the average lot;
  3. Small lots are used for sound land planning and engineering practices to mitigate steep slopes, to preserve the native landscape, and when adjacent to the Multiple-Family Residential (R-2) and Multiple-Family Residential District Within Old Town (R-2-O), or a commercial or mixed use district; and
  4. A Waiver or Variance is not required; and
  5. All other standards of this UDC are met.
- B. Variable Building Pads.** Where topographic conditions, slopes, and the protection of resources necessitate design flexibility, within the Multiple-Family Residential (R-2) and Single-Family Residential Within Old Town (R-2-O) district, the location of building pads may be varied provided the pad is shown for each applicable lot on the preliminary plat. (See Sec. 7-E-3, *Preliminary Plat*). The plan for building pad locations shall be approved if:
1. There is no loss of privacy than would otherwise exist if the standard setbacks were followed;
  2. The grades of adjacent lots or the natural landscape is such that a physical or visual buffer exists;
  3. The pads are located to avoid a degradation of resources or to provide a better view of protected resources, natural features, or open space;
  4. On-lot landscaping is increased by a factor of 1.5 compared to that required by the minimum standards; and
  5. Where side or rear lot lines abut private property in another district, the minimum setbacks shall be maintained.
- C. Cluster Development.** The lot standards in the residential districts as identified in Table 3-A-3, *Residential Lot and Building Standards*, provide for the clustering of lots around common open space. The common open space is set-aside for the preservation of resource features such as rock outcroppings, steep slopes, native landscapes, and recreation areas, as exhibited by Figure 3-A-5, *Cluster Development*. Standards of design include:
1. Defined conservation objective or combination of objectives based on either:

- a. Providing a large common open space amenity; or
  - b. Protecting site resources.
2. Interconnected resource areas with open space, greenways, and trail systems (if provided) within the parcel proposed for development and on abutting lands where such integration is practical and does not materially compromise the value of the resource areas.
  3. Integration of open spaces into the development design to bring significant open space to the maximum number of properties, as well as visibility from public rights-of-way within and adjacent to the proposed development.
  4. Streams and watercourses buffered by ground cover and native landscaping that extends at least 30 feet from the top of bank.
  5. Lots configured to minimize the amount of roadway and driveway length. Shared driveways may be used to minimize impervious surfaces through the reduction of pavement area, which may be constructed of pervious materials, including permeable concrete or asphalt, permeable pavers, ground reinforcement grid systems, and paving strips. Gravel, recycled asphalt, or rock driveways or parking areas are not considered pervious materials.
  6. Pedestrian access from all residential lots to the open space and conservation area(s). An access easement with a minimum width of 10 feet may be used to separate clusters of contiguous lots and to connect the conservation area(s) to rights-of-way.
  7. A natural undeveloped buffer with a minimum width of 50 feet along the external perimeter and/or property line of the cluster development to protect natural features and retain the mountain resort character. The buffer may be included within the conservation area(s) or as an easement on individual parcels.
  8. *Conservation Areas.*
    - a. A proof of commitment from an entity responsible for the conservation area is required prior to plat recording. Conservation areas must be conveyed prior to recording the final plat. (See Sec. 7-E-4, *Final Plat*).
    - b. Conservation areas must be provided within each phase of a cluster development in sufficient and proportional amounts to serve the expected population of that phase.
    - c. Conservation areas may include unimproved land, agricultural lands, natural landscapes, landscaped areas, improved recreation areas and buildings, as well as wetland areas and surface water.
    - d. Conservation areas must be delineated on a preliminary plat and recorded with the final plat or by separate instrument.
    - e. The conservation easement requirements in Sec. 4-A-8.G, *Conservation Easements and Open Space*, shall be met.

Figure 3-A-5  
Cluster Development



**D. Neighborhood Conservation.**

1. *Purpose.* Lots that are nonconforming by reason of their lot dimensions and setbacks may be deemed conforming thereby allowing alterations without requiring variances.
2. *Applicability.* These standards apply to lots platted within the R-2-0 Zoning District.
3. *Conforming Lots and Buildings.*
  - a. *Buildings.* All buildings that lawfully exist are conforming buildings with respect to their maximum height and setbacks. Buildings that remain nonconforming include those:
    1. Constructed without required permits or in violation of permit requirements; and
    2. Proposed for additions or expansions that cannot demonstrate conformance with the standards of this Subsection.
  - b. *Lots.* All lots that lawfully exist are conforming with respect to lot area, width, and depth. Lots that remain nonconforming include those originally platted as conforming lots and later split by a metes and bounds description into one or more substandard lots.
1. *Standards.*
  - a. *Front Setback.* A front setback may be reduced to the average front setback along the same side of the same street segment in the same zoning district, provided that:
    1. The lot proposed for an addition or expansion is not counted in the calculation; and
    2. If the lot takes vehicular access from the front, the driveway must be at least 20 feet long, measured from the property line to a building wall or garage door.
  - b. *Side and Rear Setbacks.* The interior side and rear yard setbacks may be reduced to no less than the average prevailing setbacks on the lots on either side, or if on a corner lot, within two lots of the same street frontage, provided no interior side setback may be less than three feet and no rear setback may be less than 10 feet.
  - c. *Corner Setback.* The corner setback must be equal to the greater of the front yard setbacks of the adjacent lots.
2. *Application of Standards.* These standards may be applied if a proposed addition or expansion:
  - a. Allows construction of adjoining lots to be built to the same standard along the same setback line;

- b. Does not result in a nonconformity with respect to the building code on either the proposed or abutting lots;
- c. Does not materially alter drainage conditions from those existing beforehand; and,
- d. Does not interfere with an easement.

### Sec. 3-A-6 Site Planning

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#### A. Purpose.

1. *Plan Implementation.* The principles of the Town's Imagine Winter Park Plan envision development and redevelopment to be more compact and pedestrian-oriented where the disposition of buildings emphasize the streetscape and public realm. The relationships between buildings and the spaces between them are of increased importance, with vehicular parking and circulation being secondary to the character and function of development. Buildings are either horizontally integrated through contextual site planning or in a vertical mixed-use format. Together with the residential and nonresidential design standards, this Section lays out site plan standards for new construction, building expansion, and site improvements.
2. *Coordinated Planning.* This Section provides standards to ensure that abutting and adjacent single-use and multi-tenant buildings are coordinated in their site layouts and engineering design pertaining to vehicular access and circulation, transit stops and amenities, parking, signage, landscaping and lighting, and pedestrian improvements. Good planning will result in sites and areas that are functionally efficient and contextual in their design.

#### B. Applicability.

1. *Districts.* The standards in this Section apply to single-use projects, where applicable, and to common plans of development within the Multiple-Family Residential (R-2) and Destination Center (DC) districts.
2. *Redevelopment.* While the plan establishes the policy framework and this UDC provides the regulatory standards and design guidelines to re-envision Downtown Winter Park, many properties are physically constrained or cannot meet these standards due to lot size; shape or orientation; the existence of rights-of-way or easements; and/or the scale of required investment. Therefore, in these instances, the provisions for constrained development provide means by which administrative relief may be granted to overcome the challenges or practical difficulties in redeveloping a site.

#### C. Flexibility for Constrained Development.

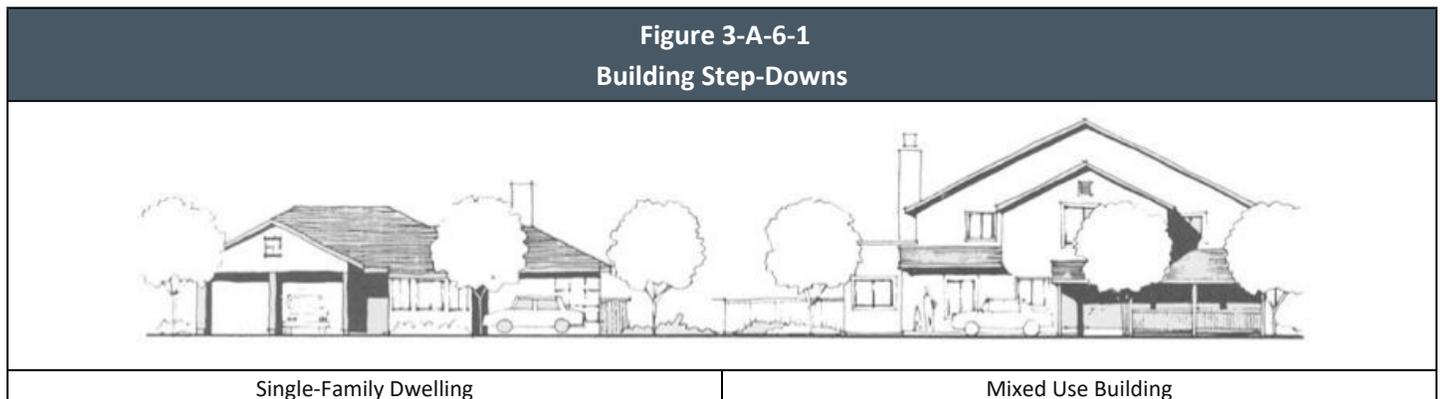
1. *Applicable Standards.* In no case shall these standards be interpreted to lessen the requirements for reasons other than those causing unique challenge or practical difficulty in redeveloping a site. Pursuant to this Section, the Administrator or a designee, may review applications for and authorize the following modifications from the requirements of this UDC:
  - a. *Site Area and Lot Area, Width, and Depth.* The standards in this Article are hereby waived when a site subject to redevelopment is less than the required minimum area, width or depth. The minimum site and lot dimensions must be such that they accommodate a building, together with adequate parking, site access and circulation, and the building setbacks pursuant to this Section. Such reductions may be approved upon a finding that the following conditions exist:
    1. The reduced lot area and/or lot dimensions are in keeping with the historic pattern of development in the area; and
    2. The reduced lot area and/or lot dimensions will not inhibit the reasonable use of the lot.
2. *Building Setbacks.* The required minimum building setbacks in this Article may be reduced by up to 20 percent for interior side setbacks provided that the setback reduction is the minimum necessary to accommodate the land use and meet the other applicable standards on the site. The front and corner yard building setbacks may

be reduced to that set out in Table 3-A-4, *Nonresidential Lot and Building Standards*. Setback reductions may be approved upon a determination that one or more of the following conditions exists:

- a. There are site or structural conditions that preclude strict adherence to the setback requirements, such as:
  - 1. The lot does not meet the dimensional standards established for the zoning district in which it is located;
  - 2. The lot has topographic limitations that require placement of the structure into the required setback area; or
  - 3. The design features of the principal building are compatible with other pre-existing, legally established principal buildings of adjacent properties on the same side of the street.
- b. The part of the proposed structure that would encroach into the minimum setback area is less than 50 percent of the width of the encroaching building facade, provided the part of the structure that would encroach into a front setback shall either be open (such as a porch or screen room) or not subject to occupancy.
- c. The part of the proposed structure that encroaches into the minimum setback area is necessitated by a life-safety code, flood hazard reduction, Americans with Disabilities Act (ADA) standard, or other public safety code requirements.
- d. The encroachment of the proposed structure is necessary due to significant existing vegetation.

**D. Site Development Standards.**

- 1. *Residential Building Orientation.* See Appendix A, Section B, *Residential Building Orientation*, of the Town's Design Guidelines.
- 2. *Nonresidential Building Orientation.* See Appendix A, Section C, *Non-Residential Building Orientation*, of the Town's Design Guidelines.
- 3. *Compatibility.* Relate new development to adjacent single-family residential districts in the following ways:
  - a. Avoid the use of walls on local streets situated opposite to single-family front yards.
  - b. Include a landscaped front yard that is similar to a single-family residence with parking areas within the interior or at the side or back of the project.
  - c. Incorporate architectural elements and materials that are similar to those used in the neighborhood.
  - d. Step down the scale, height, and density of buildings at the edges of the development. Step the building down at the ends or sides nearest the single-family unit to a height approximately equal to that of the adjacent single-family residence.



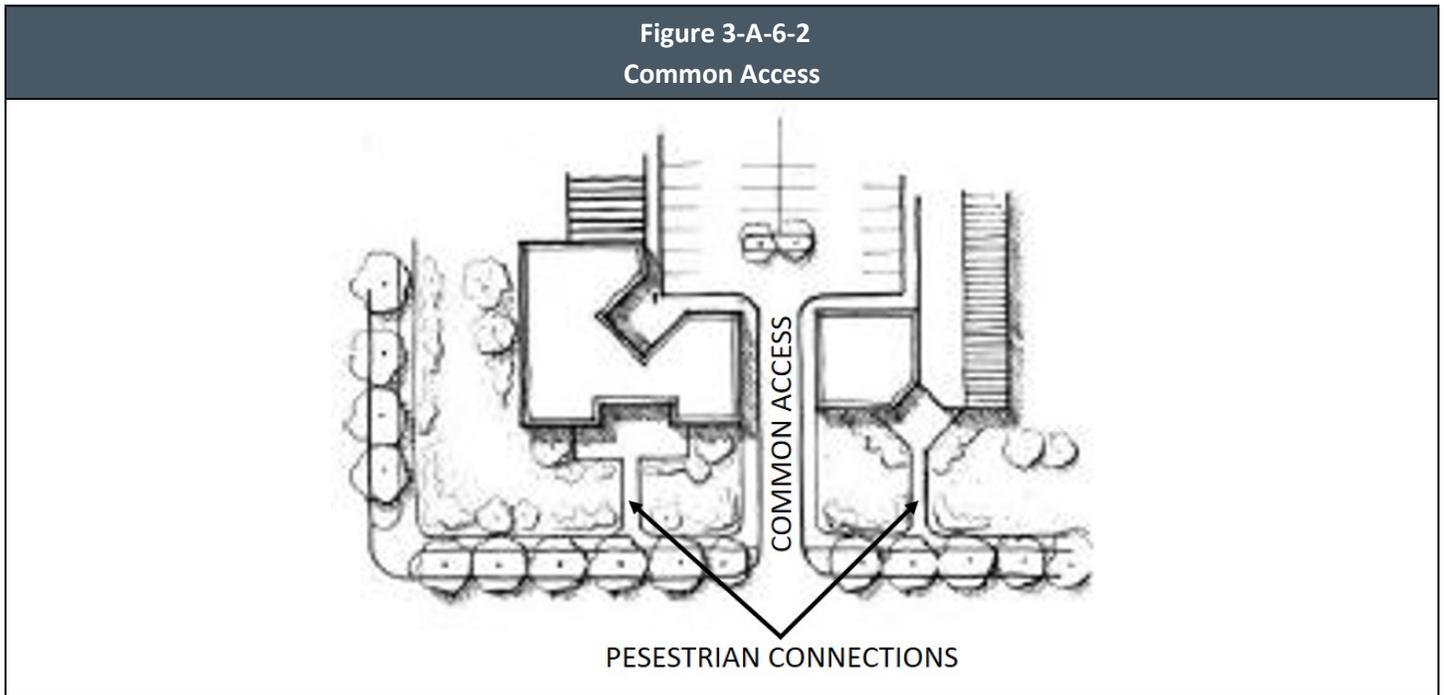
4. *Maximize Privacy.*

1. Maintain an average distance of 12 feet between pedestrian paths and dwelling unit windows.
2. Provide a minimum 12-foot separation between buildings and streets, driveways, or parking lots.
3. Provide decorative fencing, plantings, berms or grade differences when dwellings are near public streets or open spaces.

E. **Site Design Standards.**

1. *Access and Circulation.*

- a. *Single-Use Access.* Access to single-use sites shall conform to the standards of Sec. 6-A-8, *Access Management*
- b. *Common Access.* Access to common plans of development shall be reviewed and approved through the master site plan process (See Sec. 7-D-4, *Site Plan*) and prioritized as follows:
  1. Joint or shared access with abutting or adjacent lots by plat or separate legal instrument;
  2. Cross access to abutting lots, including stub-outs to vacant lots or undeveloped parcels;
  3. Relocation of an existing driveway or construction of a new driveway located according to the standards of Sec. 6-A-8, *Access Management*.



2. *Transit.* Bus stops and where feasible, bus pull-out bays, shall be designed to serve adjacent developments, including provisions for sidewalks, crosswalks, and handicap accessible stop improvements such as shelters, curb breaks and ramps, and lighting.
3. *Parking.*
  - a. Parking shall be located to the side or rear of the lot. Parking lots adjacent to the street are only allowed by a special use permit, pursuant to Sec. 7-D-7, *Special Use Permit*, in instances where there is a demonstrated hardship due to site topography, limits of access, or other unusual circumstances unique to the property and not created by the property owner.
  - b. Parking for a single-use site must meet the requirements set out in Article 6.A, *Parking, Loading, and Access*.

- c. Parking for a common plan of development may be approved by the Planning Commission subject to a parking study whereby:
  - 1. Parking standards may be adjusted or reduced through the parking study, using accepted professional standards (such as, the Urban Land Institute's shared parking publications).
  - 2. The parking study may include shared parking assumptions to reduce parking requirements within the project.
  - 3. The parking study must be submitted with the project application and must be approved by the Planning Commission.
  - 4. Guest parking for the residential units may be incorporated into the parking study. Parking required for each residential unit may not be included in a parking reduction request.
  - 5. Parking is to be provided on the rear or side of the lot. Parking lots adjacent to the street are only allowed by a special use permit, pursuant to Sec. 7-D-7, *Special Use Permit*, in instances where there is a hardship due to site topography, limits of access, or other unusual circumstances unique to the property and not created by the property owner.

4. *Pedestrian Improvements.*

- a. Pedestrian connections shall be provided within and through the project site with extensions to abutting properties and linkages to trails. Sidewalks, trail segments, and crosswalks shall be provided within each component of the project, between the residential and commercial components, and to adjacent streets and bus stops. Pedestrian connections must be off-street and outside vehicular travel lanes.
- b. Physical barriers between commercial and residential components that are adjacent to one another or in a mixed use project shall be limited to reasons of topography and as necessary for the public safety, screening of outdoor storage areas, and buffering the property boundaries of other zoning districts (as required in Sec. 6-B-5, *Bufferyards*).
- c. For specific information about how to incorporate pedestrians into the site planning process, see Appendix A, Section E, *Pedestrian Access and Circulation*, of the Town's Design Guidelines.

5. *Signage.*

- a. Signage for single-use sites shall conform to the standards of Sec. 6-C-8, *Sign Requiring a Permit*.
- b. Signage for common plans of development may be pre-approved through a master sign plan. (See Sec. 6-C-9, *Master Sign Plan*).

- 6. *Public Art.* The use of public art is encouraged in creating a public realm that will be inviting for both residents and tourists. For more specific information, see Appendix A, Section J, *Public Art*, of the Town's Design Guidelines.

F. **Procedures.** The required procedures applicable to this Section are set out in Sec. 7-D-4, *Site Plan*.

### **Sec. 3-A-7 Measurements, Computations, and Exceptions**

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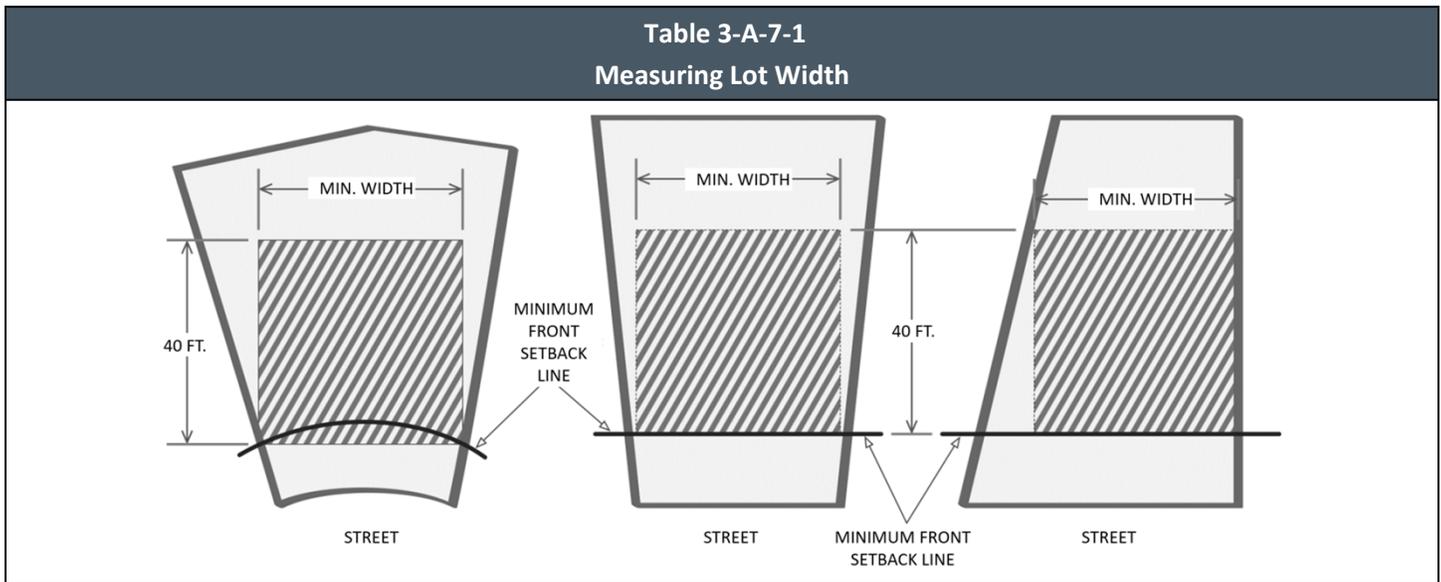
A. **Lot Depth.** Lot depth is measured along an imaginary straight line drawn from the midpoint of the front lot line to the midpoint of the rear lot line. For lots with segmented (i.e., more than one) rear lot lines, measure to the point midway between where the opposite side lot lines meet the rear lot lines.

B. **Lot Width.**

- 1. In the Mountain Estate (ME), Single-Family Residential (R-1), and for single-family detached dwellings in the Multiple-Family Residential (R-2) district, lot width is measured by placing a rectangle along the minimum front building setback line. Where the setback line is curved, the rectangle is placed on the line between the

intersection points of the setback line with the side lot lines. The rectangle must have a minimum width equal to the minimum lot width specified for the district in Sec. 3-A-3, *Residential Development Standards*. The rectangle must have a minimum depth of 40 feet, or extend to the rear property line, whichever is less. The rectangle must fit entirely within the lot. See Figure 3-A-7-1, *Measuring Lot Width*, below.

2. In all other cases, lot width is measured along an imaginary straight line drawn at right angles to the lot depth line between the side lot lines at the point where the required front setback line intersects the lot depth line.

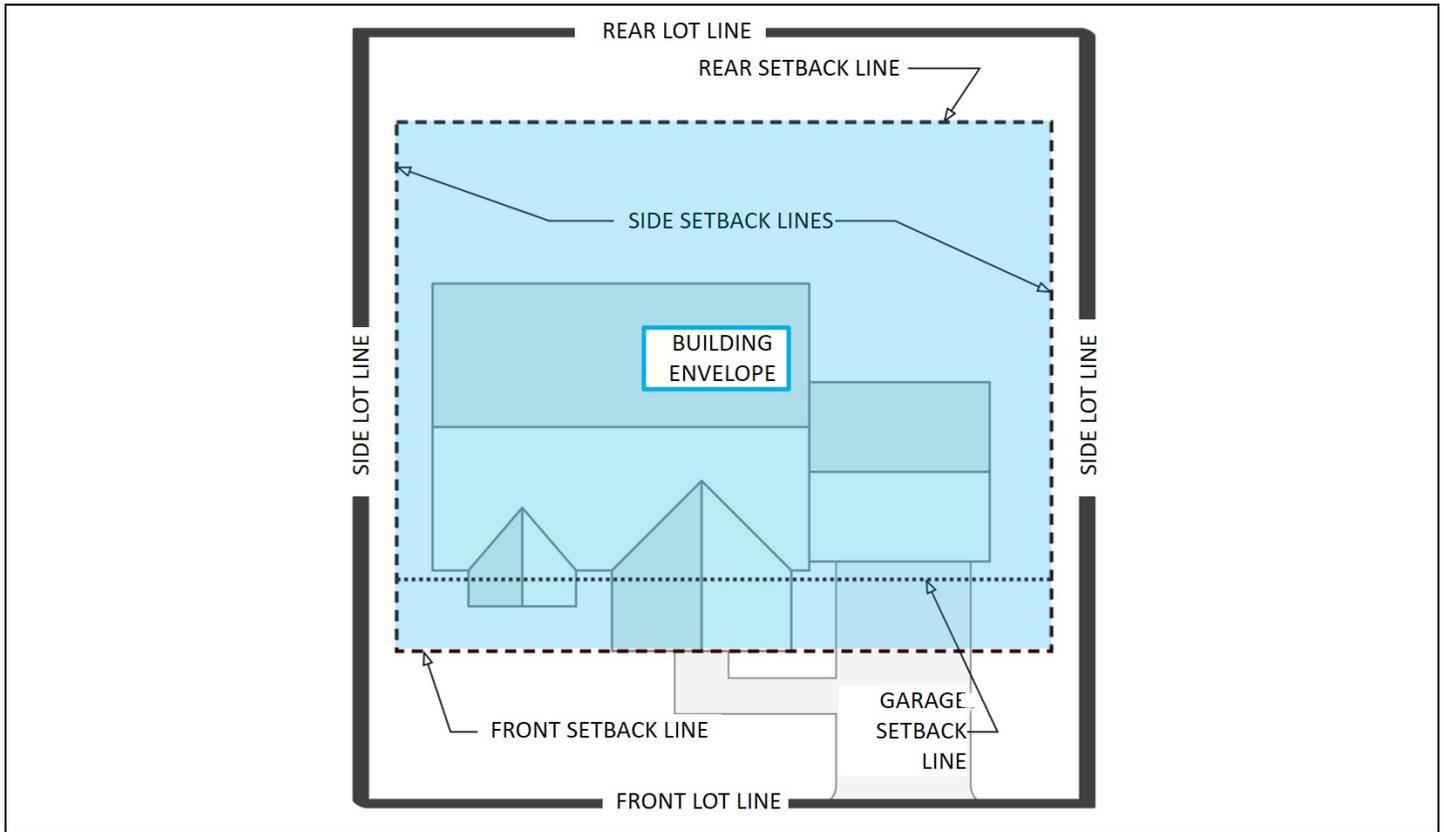


C. **Building Coverage.** Building coverage is calculated as the percent building coverage on a lot by dividing the area of a building’s footprint, measured from the outer surface of the exterior walls or support structure, by the area of the lot, using the following standards:

1. Include any structure under a roof when calculating coverage.
2. Do not include trellises or similar structures with open sun baffles or shades.
3. Do not include the portion of any uncovered and unenclosed deck, porch, landing, balcony, planter, or stairway that is less than 36 inches above grade.

D. **Building Envelope.** The setback line is a line that runs parallel to the nearest lot line at a distance inward from the prescribed setback. A continuous line connecting all setback lines defines the boundaries of the building envelope at ground level. In some cases, there is a garage setback greater than the front building setback that reduces the building envelope in order to accommodate on-site vehicle parking without intrusion into the public right-of-way. See Figure 3-A-7-2, *Measuring Building Envelope*, below.

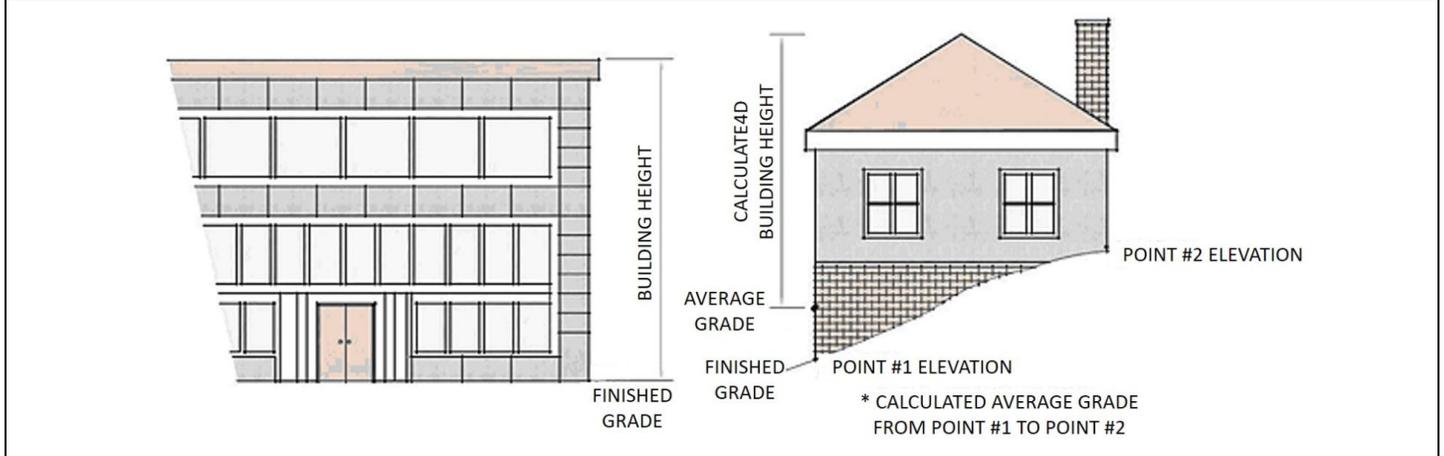
**Figure 3-A-7-2**  
**Measuring Building Envelope**



**E. Building Height.**

1. *Measured in Feet.* When measured in feet, building height refers to the vertical distance between the average finished grade along the wall facing the front street yard at the base of the building and:
  - a. The highest point of the coping of a flat roof;
  - b. The deck line of a mansard roof; or
  - c. The average height level between the eaves and ridge line of a gable, hip or gambrel roof.
2. *Increased Height Allowance.* Roofs of principal buildings with a pitch greater than 6:12 shall be allowed an additional five feet above the maximum building height in the district, provided that snow shall not shed onto an adjacent property or into any pedestrian areas. Accessory buildings and structures regardless of roof pitch shall not be allowed any additional building height.

**Figure 3-A-7-3**  
**Calculating Building Height (in ft)**



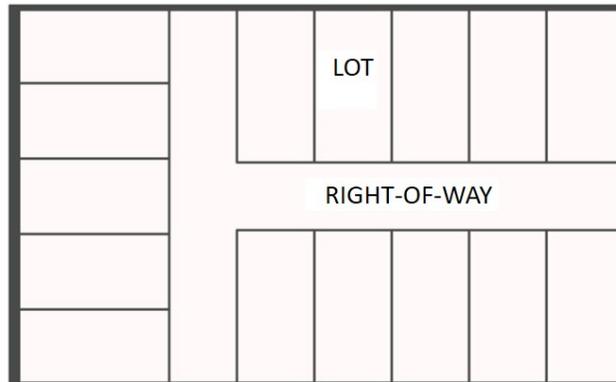
- F. **Density.** Density is the number of dwelling units per acre of land (du/ac.). For example, 15 dwelling units on three acres is a density of five du/ac. See Figure 3-A-7-4, *Measuring Gross and Net Density*, below.
1. *Gross Density.* The number of dwelling units on a parcel proposed for development, divided by the total project area, without subtracting areas devoted to open space, roadways, parks or similar public use and infrastructure areas.
  2. *Net Density.* The number of dwelling units on a parcel proposed for development, divided by the total project area less devoted to open space, roadways, parks or similar public use and infrastructure areas.
  3. Unless otherwise specified, all prescribed densities in this UDC are measured in gross density.

**Figure 3-A-7-4  
Measuring Gross and Net Density**

**GROSS DENSITY**

NUMBER OF DWELLING UNITS DIVIDED BY THE TOTAL DEVELOPMENT AREA, INCLUDING RIGHTS-OF-WAY AND OPEN SPACE

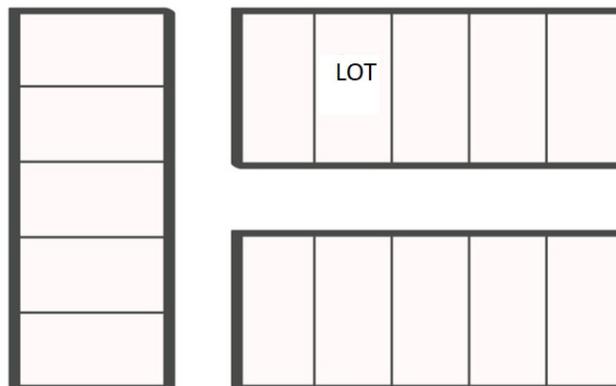
IN THIS EXAMPLE, 15 LOTS (SF DWELLING UNITS) ON THREE ACRES IS FIVE DWELLING UNITS PER GROSS ACRE



**NET DENSITY**

NUMBER OF DWELLING UNITS DIVIDED BY THE TOTAL DEVELOPMENT AREA, LESS RIGHTS-OF-WAY AND OPEN SPACE

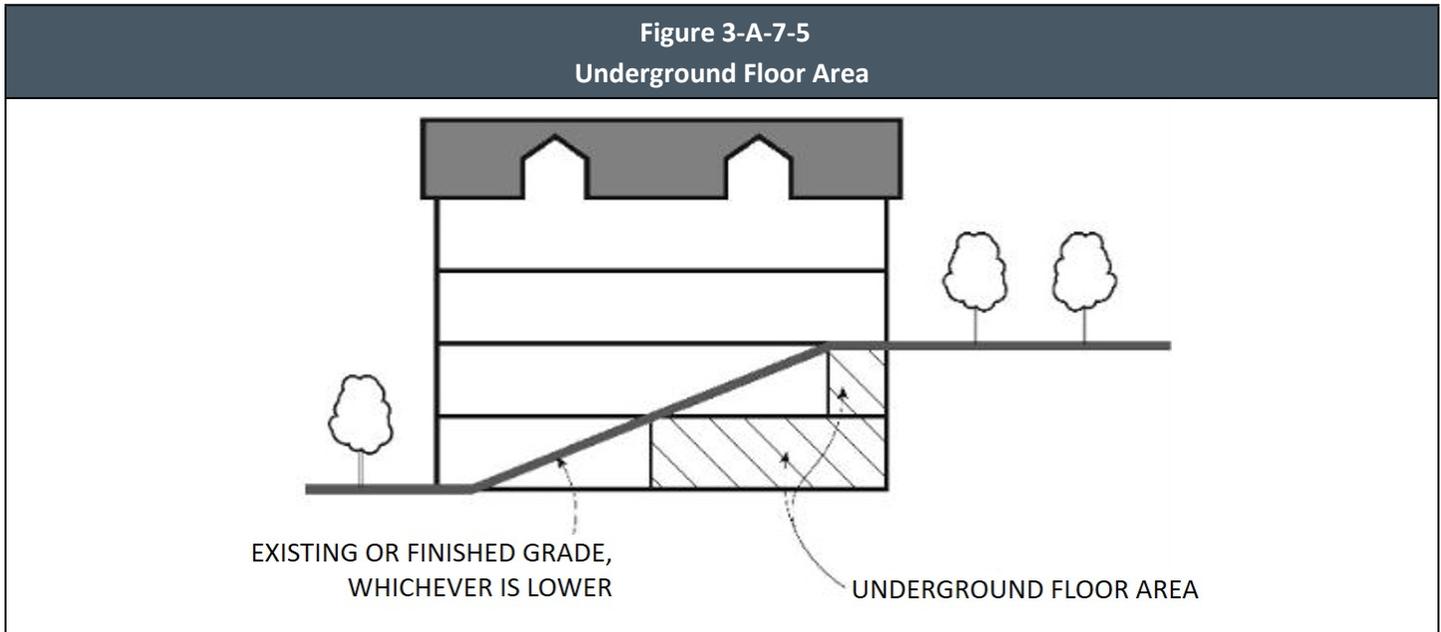
IN THIS EXAMPLE, 15 LOTS (SF DWELLING UNITS) ON THREE ACRES LESS 0.5 ACRES OF RIGHTS-OF-WAY IS SIX DWELLING UNITS PER NET ACRE



**G. Gross Floor Area.**

1. Gross floor area (GFA) is sum of all horizontal areas of every floor of every building on a lot in square feet. GFA is measured using the following standards:
  - a. Measure horizontal square footage from the outside face of all exterior walls.
  - b. Include cellars, basements, penthouses, attics, covered or uncovered porches, balconies and decks, enclosed storage or mechanical areas, mezzanines, and similar structures as GFA wherever at least seven feet are provided between the finished floor and the ceiling.
  - c. Include horizontal areas void of actual floor space (for example, elevator shafts and stairwells). Do not include the protected upper floors of open atriums and foyers.
2. *Underground Floor Area.* The gross floor area in stories, or portions of stories, that is underground is exempted from the GFA calculation, which is measured as follows:
  - a. A story or portion of a story is considered underground if the ceiling above, or the roof surface if there is no next floor above, is at or below the abutting existing or finished grade, whichever is lower.
  - b. To determine the amount of gross floor area that is underground:
    1. Determine the elevation of the ceiling of the underground story, or the roof surface if there is no next floor above the underground story;

2. Determine the points along the exterior wall of the story where the ceiling elevation or roof surface elevation above intersects the existing or finished grade elevation, whichever is lower;
3. Draw a straight line across the story connecting the two points on the exterior walls; and
4. The gross floor area in stories, or portions of stories, that is underground is the area that is at or below the straight line displayed in Figure 3-A-7-5, *Underground Floor Area*.



- H. **Open Space.** Open space includes all areas of a parcel proposed for development that are open from ground to sky and are used for bufferyards, resource protection, outdoor recreation, and leisure areas with permeable ground surfaces, naturalized stormwater best management practices, and vegetative landscaping, except landscape areas that:
1. Are used to reduce the depth of a parking stall;
  2. Are less than five feet in any dimension; and/or
  3. In a residential subdivision and are allocated to private yards.

## Article 3.C Building Material Standards

### Sec. 3-C-1 Purpose

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The purpose of this Article is to:

- A. Address the quality design of buildings and ensure that buildings are constructed of quality, durable materials;
- B. Preserve and enhance the visual character of Winter Park;
- C. Ensure building developments are functional, safe, and attractive; and
- D. Create a community character that conveys a positive, lasting impression on both residents and visitors.

### Sec. 3-C-2 Applicability

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- A. **Generally.** The standards of this Article apply to all new development, redevelopment, substantial improvement, and expansion of residential, nonresidential, and mixed use buildings in all districts unless a district or districts is specifically specified as being exempt from the regulation.
- B. **Materials Not Listed.** Materials that are submitted for potential approval and that are not listed as either permitted or prohibited materials in this Article may be approved if the applicant can demonstrate that the material is substantially similar in finish, color, and reflective requirements.
- C. **Design Guidelines.** See Appendix A, Part 3, *Building Design Guidelines*, of the Town's Design Guidelines.

### Sec. 3-C-3 Exterior Building Material Standards

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- A. **Generally.** This section:
  - 1. Classifies approved exterior building materials into two separate types of materials which are primary and secondary; and
  - 2. Regulates the amount of secondary material that is permitted on a building.
- B. **Siding Requirements.** Siding shall be designed to come within six inches of and be parallel to the finished grade. When building on a slope of 20 percent or more, stone or an impervious material may be used as a step-down to ensure that the requirement is met.
- C. **Facade Requirements.**
  - 1. *Street Facing Facades.* All street facing facades within the Town shall have no more than 20 percent of the permitted secondary materials as listed in subsection (E).
  - 2. *Non-Street Facing Facades.* All non-street facing facades shall have no more than 30 percent of the permitted secondary materials as listed in subsection (E).
- D. **Primary Materials.** The primary building materials used for exterior finishes must be of high-quality and durability. These include:
  - 1. Brick, genuine (In DC District only);
  - 2. Metals limited to:
    - a. Oxidized metal;
    - b. Weathering metal (e.g. Corten); and
    - c. Non-reflective metals;
  - 3. Wood;
  - 4. Vertical and horizontal board and battern;
  - 5. Vertical and horizontal lap siding;
  - 6. Shake shingle siding; and

7. Glass.
- E. **Secondary Materials.** The secondary building materials that may be used in limited capacity as determined by subsection (C) include:
1. Stucco (Portland cement plaster) with three coats of metal lath or wire fabric lath;
  2. Natural stone;
  3. Cement board siding (only to express mass);
  4. Board-formed concrete;
  5. Brick, genuine (In all zoning districts other than DC);
  6. Concrete masonry unit (CMU) with an architectural finish or gloss; and
  7. Architectural concrete.
- F. **Prohibited Materials.**
1. Exterior Insulation Finish System (EIFS);
  2. Volcanic rock;
  3. Concrete masonry unit (CMU) without an architectural finish or gloss;
  4. Metals with reflective properties;
  5. Raw / exposed conventional concrete foundation walls;
  6. Plywood;
  7. Textured Plywood;
  8. Vinyl;
  9. Masonite;
  10. Fiberglass;
  11. Diagonal wooden siding;
  12. Stone appearing as applique;
  13. Wood appearing as applique;
  14. Imitation brick; and
  15. Mosaic stone veneer.

### **Sec. 3-C-4 Permitted Exterior Roofing Materials**

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- A. **Generally.** This section establishes the types of exterior roofing materials that are both permitted and prohibited.
- B. **Permitted Materials.** Building materials that are permitted as exterior roofing materials are the following:
1. Flat-profile slate shingles;
  2. Flat-profile split stone shingles;
  3. Flat-profile unglazed concrete or clay tile;
  4. Composite/synthetic shingles emulating slate or wood;
  5. Standing seam metal (non-reflective);
  6. Flat seam metal (non-reflective);
  7. Metal shingles (non-reflective);
  8. Asphalt flat shingles;
  9. Composite flat shingles;
  10. Terne standing seam; and
  11. Tar gravel, or aggregate roofing (flat roofs only and must be hidden).

- C. **Prohibited Materials.** Building materials that are prohibited as exterior roofing materials are the following:
1. Fiberglass shingles;
  2. Wood shingles;
  3. Rolled roofing;
  4. Polyurethane foam ~~(flat roofs only and must be hidden)~~; and
  5. Profiled metal, clay, or concrete shingles with characteristics generally associated with Spanish tile.

**Sec. 3-C-5 Permitted Window, Entry, and Garage Door Materials**

Table 3-C-5, *Permitted and Prohibited Window, Entry, and Garage Door Materials*, establishes the permitted and prohibited types of building materials that may be used for window, entry, and garage door construction.

Table 3-C-5 Permitted and Prohibited Window, Entry, and Garage Door Materials		
Building Material Type	Permitted Materials	Prohibited Materials
<b>Windows</b>		
Finishes	Stained wood; Painted wood; Aluminum; Steel; Copper; Bronze; and Zinc	All other materials
Sills	Stone; Metal-clad; and Vinyl-clad	Unprotected materials
Surfaces	Glass (including energy-performing glass)	Exterior glazing treatments; Glass block; Fiberglass windows; and Mirrored glass
<b>Entry and Garage</b>		
Doors	Vinyl; Wood; and Painted Steel	Fiberglass, Masonite, and Hardboard