

THE TOWN OF
Windermere



MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE

Agenda

**Mayor Jim O'Brien
Council Members
Robert McKinley
Andy Williams
Chris Sapp
Bill Martini
Liz Andert**

Agenda

**May 12, 2020
6:00 PM**

MEETING TO BE HELD VIRTUALLY ON ZOOM

Join Zoom Meeting

<https://zoom.us/j/98395922872?pwd=WkNyWkxldnNXbWtkOUJueGNJMktmdz09>

Meeting ID: 983 9592 2872

Password: 407604

One tap mobile

+16465588656,,98395922872# US (New York)

+13017158592,,98395922872# US (Germantown)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 983 9592 2872

Find your local number: <https://zoom.us/j/a8BJLDRul>

PLEASE NOTE: IN ACCORDANCE WITH F.S. 286.26: Person with disabilities needing assistance to participate in any such proceeding should contact the Office of the Town Clerk at least 48 hours beforehand at (407) 876-2563

Pursuant to Resolution No. 2005-12 adopted on December 13, 2005, the following Civility Code shall govern all proceedings before the Town of Windermere Town Council:

1. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
2. Prolonged conversations shall be conducted outside Council meeting hall.
3. Whistling, heckling, gesturing, loud conversations, or other disruptive behavior is prohibited.
4. Only those individuals who have signed the speaker list and/or who have been recognized by the Mayor (or Chair) may address comments to the Council.
5. Comments at public hearings shall be limited to the subject being considered by the Council.
6. Comments at Open Forums shall be directed to Town issues.
7. All public comments shall avoid personal attacks and abusive language
8. No person attending a Town Council meeting is to harass, annoy, or otherwise disturb any other person in the room.

Any member of the public whose behavior is disruptive and violates the Town of Windermere Civility Code is subject to removal from the Town Council meeting by an officer and such other actions as may be appropriate. **PLEASE NOTE:** IN ACCORDANCE WITH F.S. 286.0105: Any person who desires to appeal any decision at this meeting will need a record of this proceeding. For this, such person may need to ensure that a verbatim record of such proceeding is made which includes the

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
 - FLAG SALUTE
 - INVOCATION
1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)
 2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS
 - a. Town of Windermere Water Master Plan Presentation (Attachments-Wade Trim to Present)
 3. NEW BUSINESS
 - a. MINUTES
 - i. Town Council Meeting Minutes April 28, 2020 (Attachments-Staff Recommends Approval)
 - b. CONTRACTS & AGREEMENTS
 - c. FINANCIAL
 - d. OTHER ITEMS FOR CONSIDERATION:
 - i. Temporary Use Permit program for certain Temporary Signs, Outdoor Retail Sales & Restaurant Seating and Small Tents (Attachments-Board Option)
 - ii. Boat Ramp & Tennis Key Policy Amendments (Attachment-Board Option)
 4. MAYOR & COUNCIL LIAISON REPORTS
 - a. MAYOR O'BRIEN
 - b. COUNCILMAN MCKINLEY
 - c. COUNCILMAN WILLIAMS
 - d. COUNCILMAN SAPP
 - e. COUNCILMAN MARTINI
 - f. COUNCILMEMBER ANDERT
 5. STAFF REPORTS
 - a. TOWN MANAGER ROBERT SMITH
 - b. TOWN ATTORNEY TOM WILKES
 - c. POLICE CHIEF DAVE OGDEN
 - d. PUBLIC WORKS DIRECTOR SCOTT BROWN
 6. ADJOURN
-
- REPORTS: NO ACTION REQUIRED
 - FILED ITEMS

Town of Windermere Water Master Plan

May 12, 2020





Discussion Items

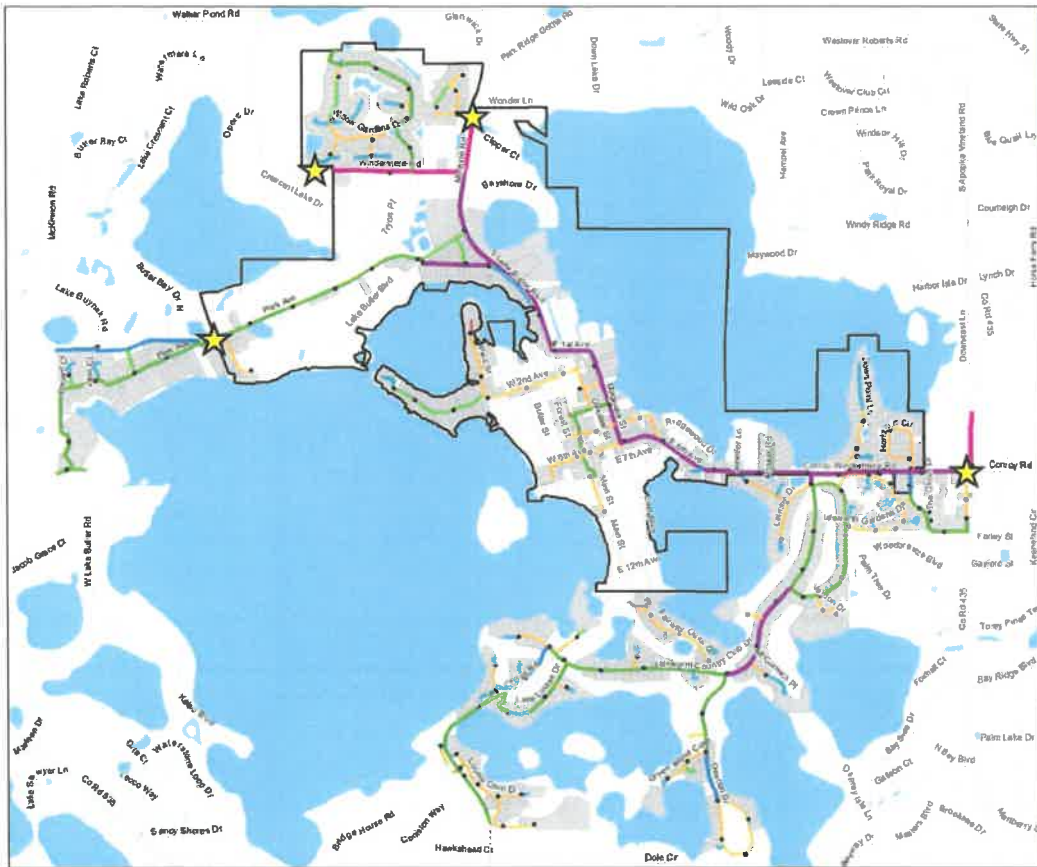
- Mission
- Existing Layout
- Proposed Layout and Phases
- Fire Flow
- Cost
- Funding
- Progress Update

Mission

Mission

- Develop a reasonable plan to supply all homes with good water quality as well as fire protection
- Understand ability to provide water for future expansion
- Document the positive impacts
- Develop an understanding of the funding

Existing Layout



Existing System Diameter

- Legend**
- Town Limits
 - Roads
 - Lakes or Ponds
 - Parcels Served
 - ★ Connection Points
 - Hydrants

Pressurized Water Main Diameter (inches)

- < 4
- 4
- 6
- 8
- 10
- 12
- 14
- 16
- > 16

0 0.125 0.25 0.5 Miles

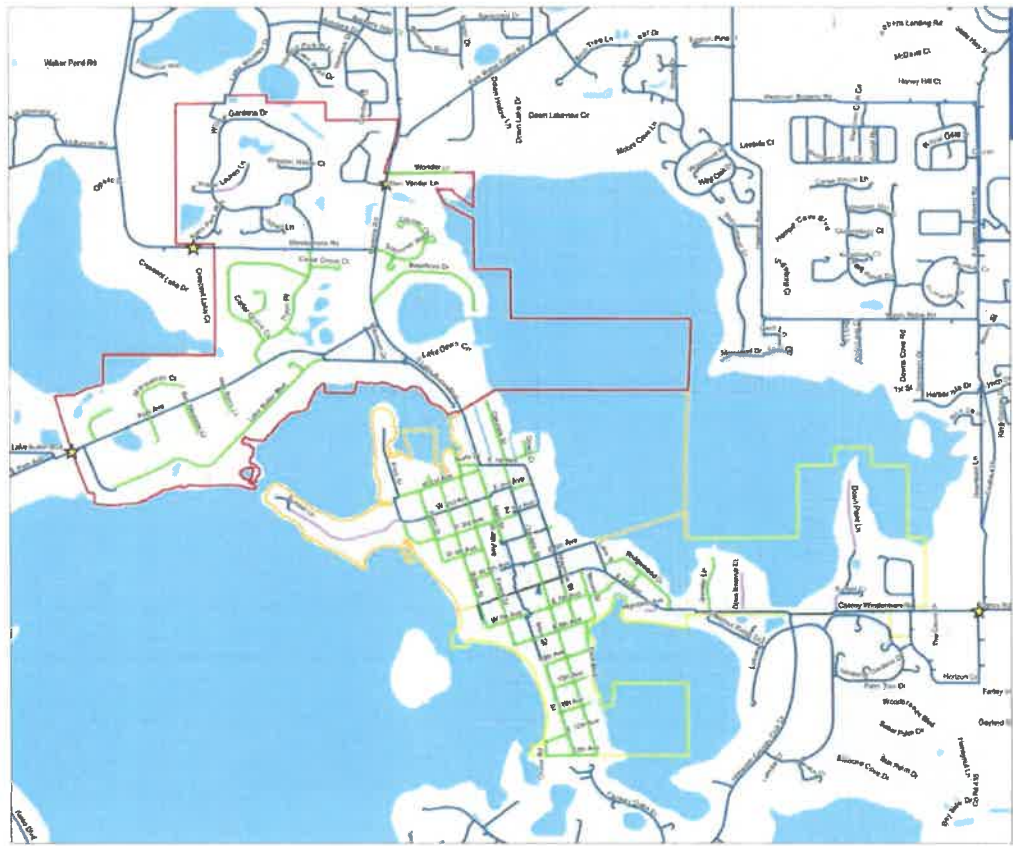
THE TOWN OF
Windermere



614 Main Street
Windermere, FL 34786
(407) 876-2563



Proposed Layout and Phases



Phases Overview

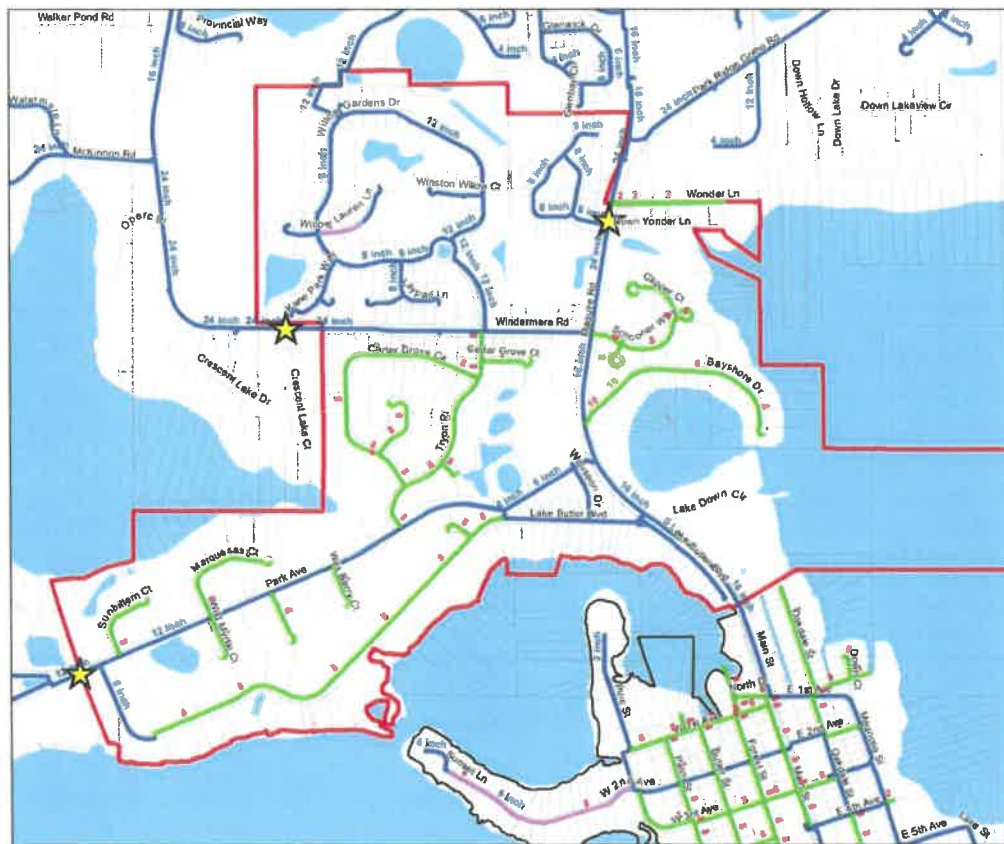
Legend

- ☆ Connection Points
- Proposed Upgrades to Existing
- New Pipes
- Existing Pipes
- Roads
- North Phase
- Central Phase
- South Phase
- Parcels
- Lakes or Ponds

0 5001,000 2,000 Feet










N

THE TOWN OF
Windermere
 614 Main Street
 Windermere, FL 34783
 (407) 570-2563



North Phase

Legend

-  Connection Points
-  Proposed Upgrades to Existing
-  New Pipes
-  Existing Pipes
-  North Phase
-  Town Limits
-  Roads
-  Parcels
-  Lakes or Ponds

0 375 750 1,500 Feet



The Town of
Windermere



514 Main Street
Windermere, FL 34786
(407) 876-2563



Central Phase

- Legend**
- Connection Points
 - Proposed Upgrades to Existing
 - New Pipes
 - Existing Pipes
 - Central Phase Roads
 - Town Limits
 - Parcels
 - Lakes or Ponds

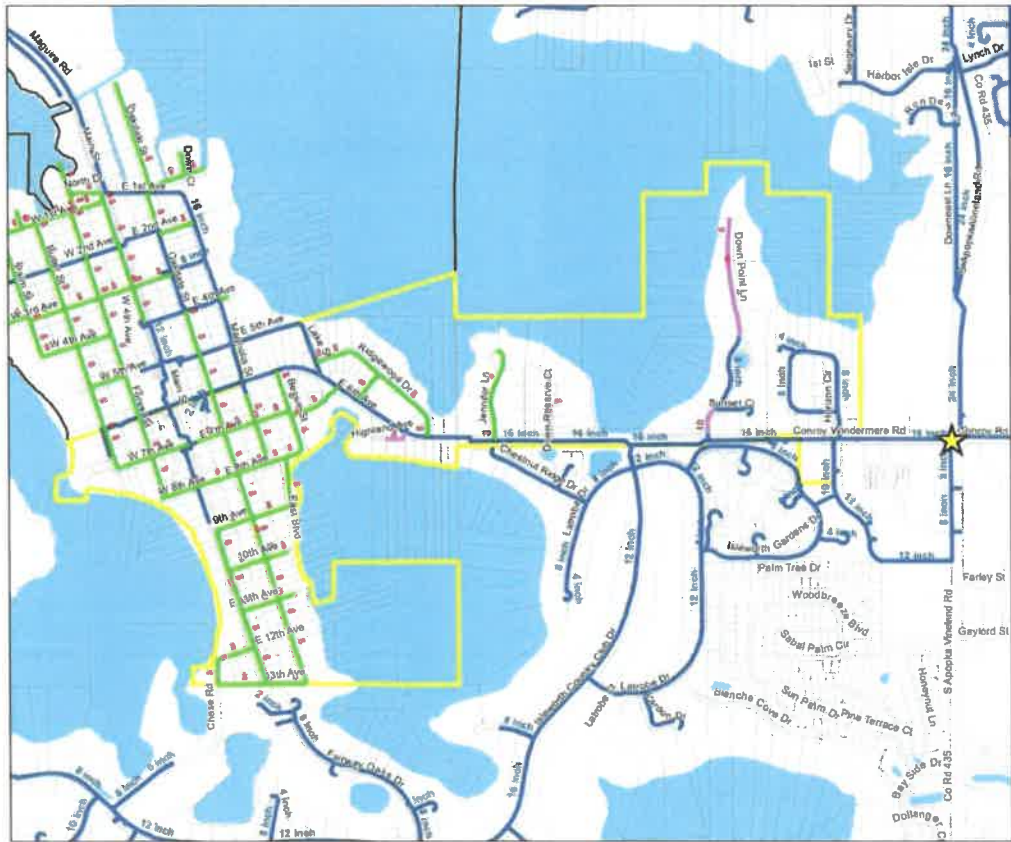
0 250 500 1,000 Feet



THE TOWN OF
Windermere












614 Main Street
Windermere, FL 34715
(407) 576-2563



South Phase

Legend

-  Connection Points
-  Proposed Upgrades to Existing
-  New Pipes
-  Existing Pipes
-  South Phase
-  Roads
-  Town Limits
-  Parcels
-  Lakes or Ponds

0 375 750 1,500 Feet



The Town of
Windermere



614 Main Street
Windermere, FL 34786
(407) 876-2563

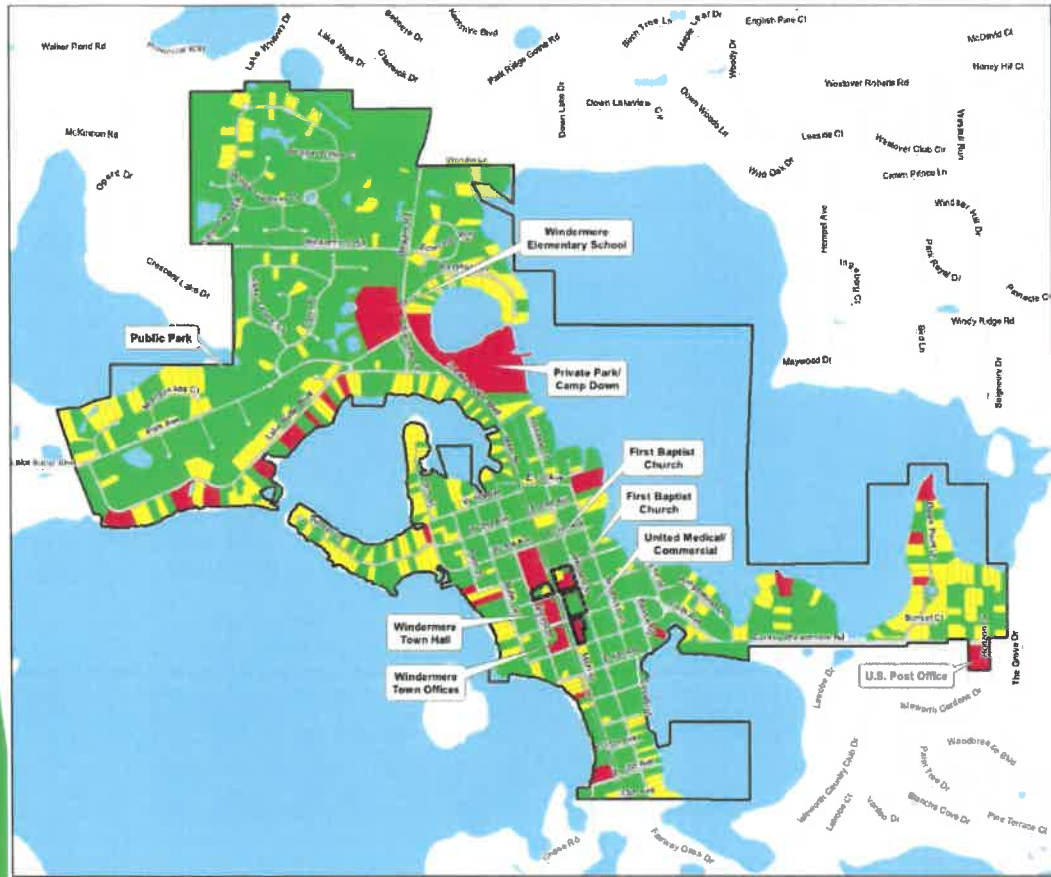
Fire Flows



Home Sizes within Town Limits

Gross Floor Area (Sq Ft)	Number of Residential (Homes)	Number of Non-Residential	Minimum Fire Flow *
0 – Vacant/Not Developed	228	11	-
0 – 5,900	938	12	1500 gpm
5,901 – 7,900	125	1	1750 gpm
7,901 – 9,800	44	2	2000 gpm
9,801 – 12,600	13	2	2250 gpm
12,601 – 15,400	5	4	2500 gpm
15,401 – 18,400	4	1	2750 gpm
18,401 – 21,800	0	0	3000 gpm
21,801 – 25,900	0	0	3250 gpm
25,901 – 29,300	0	2	3500 gpm

* Based on NFPA 220 Construction Type II (000)



Estimated Gross Floor Area (30%)

- Legend**
- Town Limits
 - Town Center Overlay District
 - Roads
 - Lakes or Ponds
 - Est. Gross Area (Living Area Plus 30%) (SF)**
 - < 5,000 (1,500 gpm)
 - 5,000 - 9,800 (2,000 gpm)
 - > 9,801 (3,500 gpm)

0 0.125 0.25 0.5 Miles

THE TOWN OF
Windermere



614 Main Street
Windermere, FL 34786
(407) 876-2563

Estimated Gross Floor Area (30%)

Legend

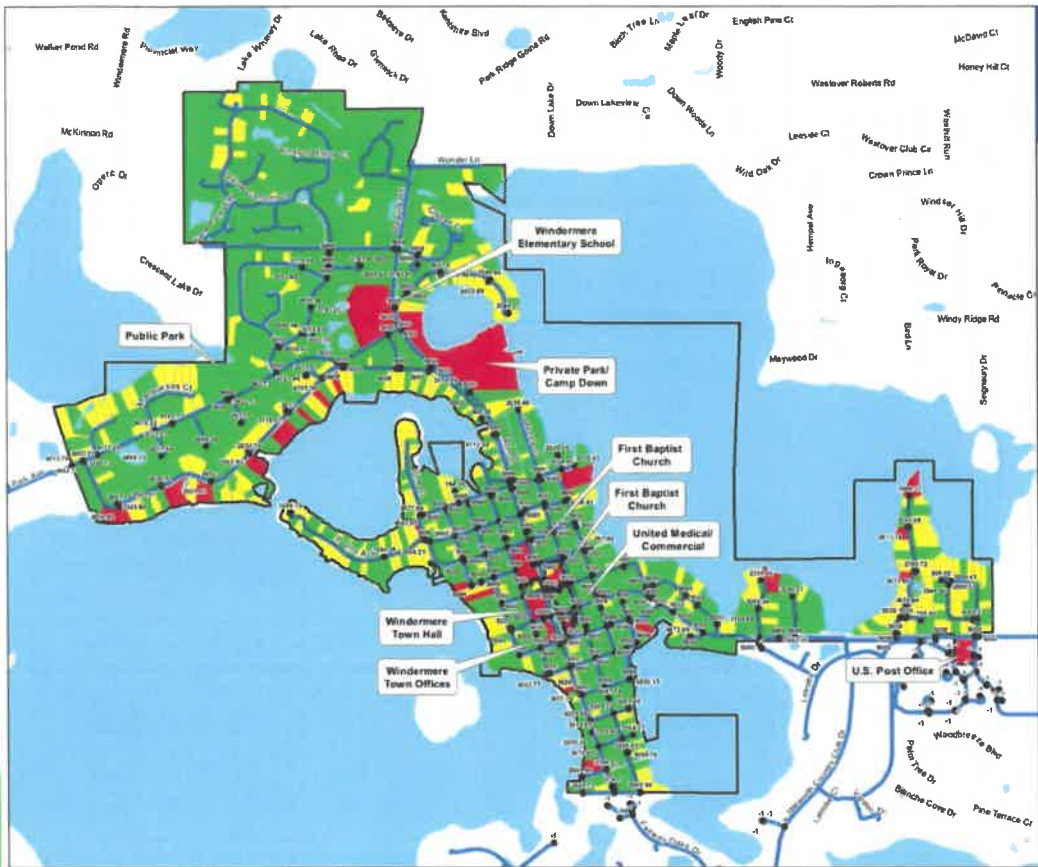
- Hydrants within 1,000 feet of properties >9,800 SF
- 10-Year Pipes (Version 03-08-2020)
- ▭ Town Limits
- ▭ Town Center Overlay District
- Road
- Lakes or Ponds
- Est. Gross Area (Living Area Plus 30%) (SF)**
- < 5,000 (1,500 gpm)
- 5,000 - 9,800 (2,000 gpm)
- > 9,801 (3,600 gpm)

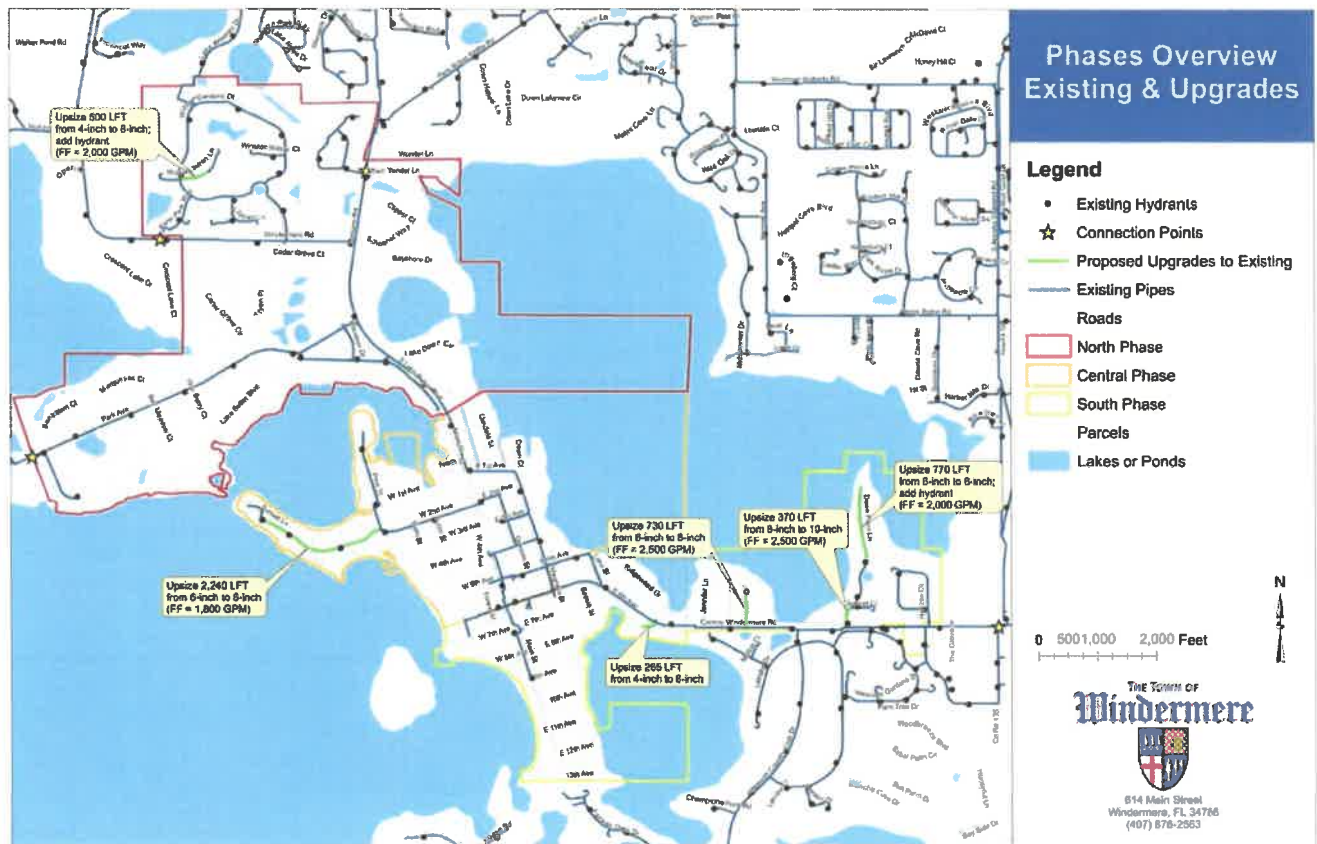


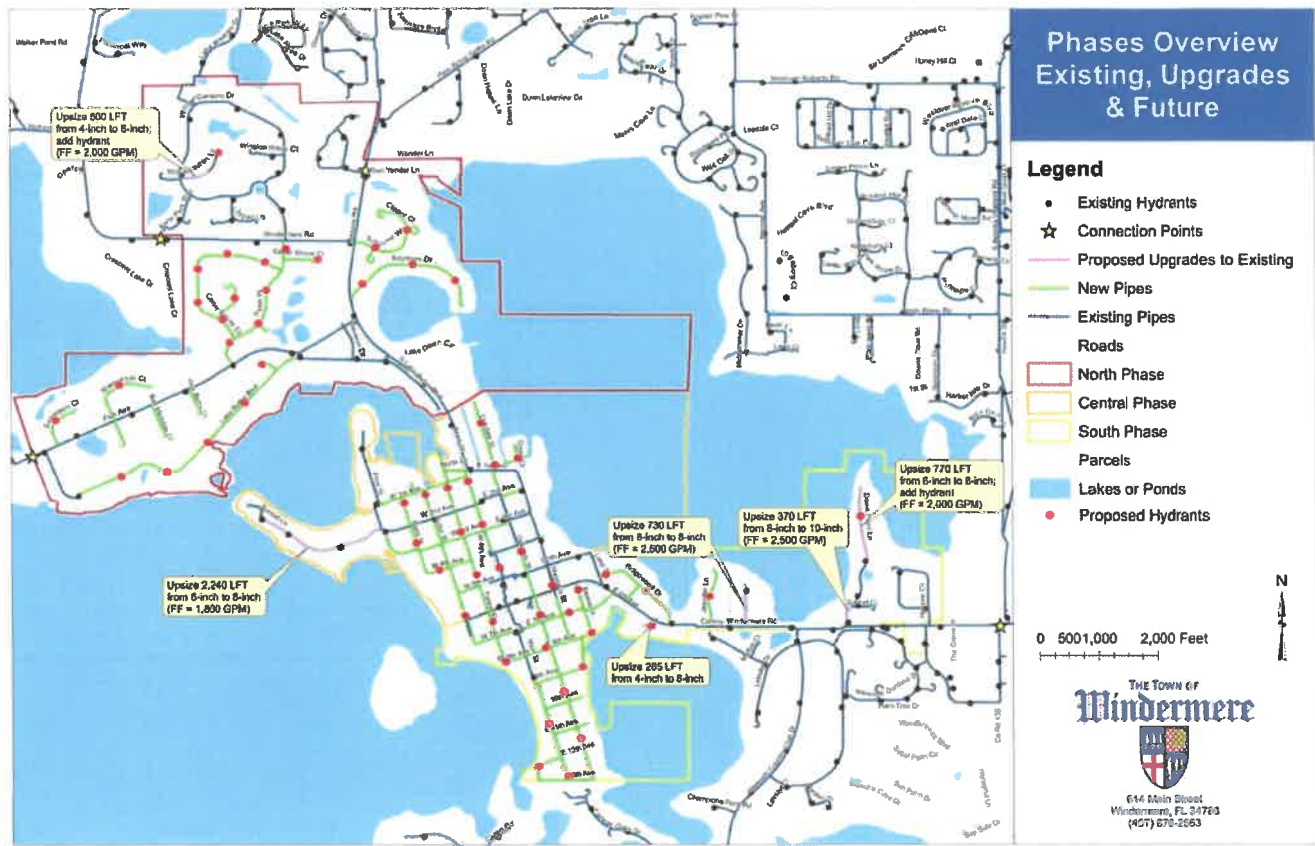
THE TOWN OF
WINDERMERE



814 Main Street
Windermere, FL 34786
(407) 878-2963







Cost

Cost Basis

- Removing Smaller Mains \$20/ft
- PVC Main \$60-\$80/ft
- Hydrant Assemblies \$4000
- Gate Valves \$4000-\$5000
- Paved Roads \$25/yd
- LF allowances for MOT, Survey, Video, Erosion Control, Dewatering, permitting
- Service Connections totaled by area
- 40% Contingency, 6% inflation

Phase Cost Estimates

Phase	Cost	New Residential Connections	Cost Per Connection
North	\$3,994,000	289	\$13,820
Central	\$3,081,000	172	\$17,913
South	\$3,206,000	188	\$17,053
Total	\$10,281,000	649	\$15,841

This Engineer's Opinion of Construction Costs is provided based on available information and the engineer's experience and qualifications and represents his best judgement as a design professional familiar with the construction industry. The engineer has no control over the costs of labor, materials, equipment, or over the contractor's methods of determining prices or over competitive bidding or market conditions. The engineer cannot and does not guarantee that proposals, bids or construction cost will not vary from this estimate

Funding



Project Characteristics Considered

- Demographics
- regulatory/permitting
- environmental effects
- system age
- water loss
- private well conditions
- existing and new services
- groundwater withdrawal offset
- reliability
- public health
- protection of water resources



Programs to Pursue

- South Florida Water Management District Funding
- Legislative Process Grants (Appropriations)
- Water Supply Restoration Funding Program
- State Revolving Fund Loan Program – Drinking Water

Thank you



TOWN OF WINDERMERE

Town Council Meeting Minutes (1st Virtual Meeting Covid-19)

April 28, 2020

CALL TO ORDER:

Present were Mayor Jim O'Brien, Council Members Bill Martini, Bob McKinley, Andy Williams, Chris Sapp, and Liz Andert. Town Attorney Heather Ramos, Town Manager Robert Smith, Police Chief Dave Ogden, Public Works Director Scott Brown, and Town Clerk Dorothy Burkhalter were also present.

Mayor O'Brien called the meeting to order at 6:00pm and stated all Council members were present.

1. OPEN FORUM/PUBLIC COMMENT (3 Minute Limit)

Mayor O'Brien stated that Ms. Brandi Haines of 835 Oakdale has signed in and has deferred to comment later on the agenda.

2. SPECIAL PRESENTATION/PROCLAMATIONS/AWARDS

By consensus of the Town Council, these items were deferred until after the contract and facilities discussion.

a. FY 19/20 Mid-Year Budget Analysis Report

b. 1 Cent Sales Tax Initiative Discussion

3. NEW BUSINESS

a. Swear in of Mayor and Town Council Members

- i. Mayor Jim O'Brien
- ii. Councilman Chris Sapp
- iii. Councilman Andy Williams

Manager Smith administered the Oath of Office to Mayor Jim O'Brien, who will be serving his first two-year term. Mayor O'Brien then administered the Oath of Office to Council member Chris Sapp, who will be serving his second two-year term. He then administered the Oath of Office to Council member Andy Williams, who will be serving his second two-year term.

b. Minutes

- i. Town Council Meeting Minutes March 10, 2020

Member McKinley made a motion to approve the March 10, 2020 Town Council meeting minutes as presented. Member Sapp second the motion. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

c. Contracts & Agreements

- i. Waste Pro Contract Extension

Manager Smith explained that due to Covid-19, the RFP for waste and recycling services would not be done this year. He stated that he would like to continue with Waste Pro for an additional year.

TOWN OF WINDERMERE

Town Council Meeting Minutes (1st Virtual Meeting Covid-19)

April 28, 2020

Manager Smith also stated that he would negotiate with Waste Pro on pricing. He commented that an RFP would be done the following year. Discussion was made regarding recycling, information to residents, programs for children and costs. Member McKinley made a motion to approve the one-year extension. Member Martini seconded the motion. Roll call vote was as follows: Martini – aye, McKinley – aye, Williams – aye, Sapp – aye, and Andert – aye. Motion carried 5-0.

d. Financial

i. Temporary Town Facilities Set Up/Tear Down: Not to Exceed \$280,000.00

Mayor O'Brien introduced this item and turned the floor over to Mr. John Fitzgibbon. Mr. Fitzgibbon gave a recap on the facilities project. He commented on the set-up, tear down, restoring of the area for the temporary facilities, and insurance coverage. Manager Smith commented on the financial split over this year and next year's budget. He then commented on the addition of the rent and the minimal impact to the budget. Member McKinley made a motion to approve the not to exceed \$280,000.00. Member Williams seconded the motion. Mayor O'Brien stated that he would like the residents within the area notified. Manager Smith commented that the monthly rental cost of \$6,838.00 needed to be approved as well. Member McKinley amended his motion to a not to exceed amount of \$290,000.00. Member Williams was friendly to the amendment. Roll call vote was as follows: Andert – aye, Sapp – aye, Williams – aye, McKinley – aye, and Martini – aye. Motion carried 5-0.

e. Other items for consideration

i. Permanent Town Facilities Design Development Update

Mayor O'Brien introduced this item. Manager Smith stated that John Fitzgibbon, Rodney McManus, Sami Gerwick and Stephen Withers were all present to speak on this item. Mr. Fitzgibbon gave an update on the permanent Town Facilities designs and phases. He then turned the floor over to Mr. McManus. Mr. McManus reviewed the master and floor plans for the new facilities. Manager Smith shared comments he has received regarding the 1887 Schoolhouse, the secured reception area, and the skewed administration design. He then stated that Ms. Brandi Haines would like to speak on this item. Mayor O'Brien opened the floor to the Council. Discussion was made regarding a rear access door in community meeting area, septic locates, dumpster/trash locations, Kimley Horn approval for roundabout, the reception area, and the security of the reception area. Mr. Withers commented on the need for community information, items, and furniture that will be needed in the lobby area. Mr. Fitzgibbon stated that the lobby area needed to be considered as a "front porch". Mayor O'Brien opened the floor to the public. Ms. Brandi Haines of 835 Oakdale Street introduced herself. She requested the number of trees that needed to be removed, questioned the driveway entrance change and its effect on parking and trees, commented on the front/back porch with rocking chairs, questioned dimensions of the concrete in front of the building, questioned the effects of sidewalk near the roundabout, commented on "buzzing" in of residents on the administration side, commented on no seating areas in the lobby, and questioned if the lobby will have a 24/7 access. Manager Smith stated that the lobby will not be open 24/7. He then commented on seating, tree removal and replanting, Library parking, and the sidewalk near roundabout. Mayor O'Brien stated that this was an informational item. Member Sapp stated that the Tree Board recommended the removal of 9 total trees per the advice of a tree arborists. He then questioned the possibility on placing rocking chairs outside on the porch. Some discussion was made. General consensus of the Town Council was to move forward with the plans.

c. FY 19/20 Mid-Year Budget Analysis Report

TOWN OF WINDERMERE

Town Council Meeting Minutes
(1st Virtual Meeting Covid-19)

April 28, 2020

Mayor O'Brien turned the floor over to Manager Smith. Manager Smith gave a presentation of the mid-year budget, revenues and expenditures.

d. 1 Cent Sales Tax Initiative Discussion

Mayor O'Brien turned the floor over to Manager Smith. Manager Smith stated that due to the current pandemic, Mayor Demings is withdrawing the push for the 1 cent sales tax initiative.

4. MAYOR & COUNCIL LIAISON REPORTS:

Mayor O'Brien stated that he appreciates the staff for everything they have done for the Town during this pandemic. He then commented on the current situation. Member Andert reported that the WAYS Committee will be meeting next week.

7. STAFF REPORTS:

a. TOWN MANAGER ROBERT SMITH – Mr. Smith reported on the current pandemic, virtual meetings, re-opening of the State, Easter Egg event, and future events. He then thanked everyone for the leadership and assistance that has been shown with the pandemic at the local level.

b. TOWN ATTORNEY HEATHER RAMOS – No report.

c. POLICE CHIEF DAVE OGDEN – Chief Ogden reported on a water leak on Main Street.

d. PUBLIC WORKS DIRECTOR SCOTT BROWN – Director Brown reported that Public Works is working on hurricane preparedness, sidewalk repairs, new plantings, and the pedestrian crossing at 1st Avenue and Main Street has been installed. Mayor O'Brien commented on an issue with the no skid material between sidewalk and the road that are popping up. Director Brown stated he would look into it.

e. TOWN CLERK DOROTHY BURKHALTER – No report.

8. ADJOURN:

Mayor O'Brien adjourned the meeting at 8:15pm.

Dorothy Burkhalter, MMC, FCRM
Town Clerk

Jim O'Brien, Mayor

THE TOWN OF
Windermere



EXECUTIVE SUMMARY

SUBJECT: Temporary Use Permit program for certain Temporary Signs, Outdoor Retail Sales & Restaurant Seating and Small Tents

REQUESTED ACTION: Board Option

Work Session (Report Only) **DATE OF MEETING:** 5/12/2020
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
Effective Date: _____ Termination Date: _____
Managing Division / Dept: _____

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

Mayor & Council,

The City of Orlando and Orange County have been working on several initiatives to assist local businesses. As we have done in the past, we have worked collectively with other jurisdictions to be uniform in our response to the pandemic. Should the Town Council agree with relaxing certain guidelines as required by the Town's Land Development Code, staff will work with Wade Trim and Gray Robinson on implementation.



MEMORANDUM

To: Orlando City Council

From: Elisabeth Dang, Planning Official

Date: May 4, 2020

Subject: Temporary Use Permit program for certain Temporary Signs, Outdoor Retail Sales & Restaurant Seating, and Small Tents (Citywide)
DET2020-10081 Planning Official Determination

BACKGROUND

The COVID-19 pandemic has caused an emerging need for additional signage and operational opportunities for business establishments that are operating in these difficult times. This includes everything from pick-up locations for restaurants to increase take-out operations, contactless delivery of groceries and other goods, and outdoor operations as businesses open in phases in line with the Governor's orders. This need is especially acute in our Downtown, Main Street Districts and other commercial shopping areas.

Therefore, the Planning Official has worked with our administration to create a temporary program authorizing - without a permit or other approval - temporary signage, outdoor retail sales & restaurant seating, and small tents which are otherwise prohibited by the City Code, or require approval by the City through a permit or other approval process.

City code section 58.831 allows the Planning Official to approve a temporary use permit that can apply for up to six months, with Council having the ability to approve longer durations. There are aspects of this program that require approval of the Council, specifically authorizing businesses to operate within City rights-of-way per section 54.27-1(f) of the City Code.

This Temporary Use Permit program includes:

PLANNING OFFICIAL APPROVAL AS OF THE DATE OF THIS MEMO:

1. Temporary Signage: A-Frame/Menu Board, Flag and Banner signs
2. Outdoor Retail Sales & Restaurant Seating
3. Small Tents to expand outdoor operations

CITY COUNCIL AUTHORIZATION, PROPOSED FOR MAY 11, 2020 MEETING:

4. The above operations within City rights-of-way (i.e. on sidewalks)
5. Suspension of permits, fees, or other approvals associated with the above operations (as long as activities are in compliance with this Program).

The following guidelines implement the program, which is either effective immediately via the Planning Official Determination or on May 11, 2020 via approval by City Council, as applicable, until September 1, 2020.

TEMPORARY SIGNS

The City's Land Development Code prohibits temporary banners and limits A-Frame signs to businesses within the Downtown Sign Area and a few other specially planned areas. Wind operated devices (flags, etc.) are also limited or prohibited. This type of signage shall be allowed, without requiring a sign permit, for the duration of this program on private property, and may be authorized by the City Council within the City rights-of-way if approved at the May 11, 2020 City Council meeting. The following restrictions apply:

- No more than one of each type of temporary sign is allowed per commercial business or public benefit use, placed in front of the business (one each of A-Frame, Flag or Banner). Office and industrial uses are authorized one such sign of their choosing.
- A-Frame signs must not exceed 9 square feet in area within the Downtown DDB (map attached at end of document), and 6 square feet elsewhere throughout the City.
- Flags may be up to 12 feet in height.
- Banners are allowed a length of up to 50% of the storefront principal frontage up to a maximum of 20-ft in length, and may not exceed 5 feet in height.
- Banners are not allowed on City rights-of-way.
- "Snipe" style signs may be substituted for an A-Frame sign. When placed on rights-of-way, they must be placed directly in front of the business consistent with the below.
- Temporary signs shall not count toward maximum signage area.
- Temporary signs must not be secured to tree guards, tree grates or disturb the sidewalk pavement within rights-of-way (e.g. bolted into the sidewalk).
- A-Frame and Flag temporary signs must be removed at the end of the business day.
- On private property, the location of the temporary sign must provide a minimum 4 feet clear space for pedestrians on walkways.
- When placed in rights-of-way, temporary signs are only allowed within the streetscape area of a street, and not located within the roadway of a street (the area that vehicles may access), and located according to the following:
 - The location must provide a minimum of 5 feet continuous clear passage for pedestrians to traverse sidewalk areas.
 - The sign must be located 2 feet behind the face of curb of the roadway, placed in the landscaped "parkstrip" area of a streetscape, or the "furniture zone" area of a hardscape streetscape treatment.
 - When no parkstrip or furniture zone is present (the sidewalk is adjacent to the curb), signs shall be placed 6 feet from the back of curb.
 - The location is setback 6 feet from any street corner (where the curb curves to form a corner) or any ADA ramps located at the street corner or elsewhere within rights-of-way.
 - Care should be taken near curb cuts to provide proper sight lines for vehicle maneuvers consistent with the requirements of the City's Engineering Standards Manual (reference: <https://tinyurl.com/ybftt2ph>).
 - Signs cannot block ingress/egress into the business or an adjacent property.
 - Signs within rights-of-way are only authorized for the business directly adjacent to the right-of-way (sidewalk) used. No signs are authorized in medians.

Examples of these different types of temporary signs are provided toward the end of the document.

OUTDOOR RETAIL SALES & RESTAURANT SEATING

Outdoor retail sales (called “intensive retail”) are prohibited in many zoning districts. As many businesses are incrementally opening for operations during this pandemic, there is a need to increase the space allocated to outdoor retail sales and restaurant operations, since indoor capacities have been limited due to the social distancing requirements (e.g. 25% indoor capacity restrictions for retail and other businesses).

Commercial establishments (retail, restaurants, etc.) shall be allowed to extend operations outdoors, without requiring a permit or other authorization, during the duration of this program on private property, and may be authorized by the City Council within City rights-of-way if approved at the May 11, 2020 Council Meeting. The following restrictions apply:

- Allowed in private parking lots, where the location does not conflict with the traffic circulation of the site (e.g. within parking spaces).
- On private walkways, where a minimum 4 feet clear space for pedestrians is maintained.
- Parking minimums shall not be impacted by outdoor retail sales and restaurant seating for the duration of this program (i.e. no additional parking requirement, and required parking spaces may be used for these activities).
- Impact fees are not applicable for such outdoor operations for the duration of this temporary program, as interior capacities are limited.
- Outdoor loudspeakers are prohibited in conjunction with outdoor sales and seating.

Within the City’s rights-of-way (sidewalks), such outdoor seating and sales shall follow the required dimensions of sidewalk cafes in section 54.28 of the City code, which are summarized in the attached diagram at the end of this document; and, sidewalk café permits and fees are waived. Generally, these requirements include:

- The location must provide a minimum of 5-ft clear for pedestrians to traverse sidewalk areas, independent of the streetscape “furniture zone” or parkstrip areas where street-trees are typically found, where they exist.
- When no parkstrip or furniture zone is present (the sidewalk is adjacent to the curb), outdoor seating and sales shall be placed a minimum of 6-ft from the face of curb.
- The location is closest to the private property line, away from the street curb.
- Sales of Food and Merchandise within rights-of-way are only authorized for the business directly adjacent to the right-of-way (sidewalk) used.
- Certificates of Appropriateness issued by the Historic Preservation Officer and Certificates of Appearance Review by the Appearance Review Official are suspended within these Downtown areas for activities associated with the sale of Food and Merchandise authorized by this determination for the duration of the program.
- Consumption of alcoholic beverages within rights-of-way is allowed for adjacent businesses that follow the required dimensions of sidewalk cafes in found in section 54.28 of the City Code, provided the establishment has a valid permit from the State for on-site consumption of alcohol.

SMALL TENTS

Section 58.833 of the Land Development Code requires the Zoning Official/Planning Official to approve the location of all tents. This section also limits the duration for the placement of tents to seven days in any six month period, requires the written consent of the property owner, and limits their duration on an annual basis. Additionally, this section of code also limits tents as they may not be erected to block access to any required parking space.

Small, farmer's market-style tents up to a maximum dimension of 12' x 12' shall be exempt from the above section of the Land Development Code, and may be placed on private property without a permit. In Downtown Orlando, such tents may be located in a sidewalk café area consistent with the location requirements of Section 54.28 of the Municipal Code.

COUNCIL AUTHORIZATION

In accordance with the guidelines and provisions of this program as outlined above, City Council authorizes the sale of food and merchandise and placement of temporary signs within the City right-of-way. Further, City Council waives any permit, fee, or other authorization associated with these uses, as outlined in this program. Nothing contained herein is intended as, nor shall constitute, a waiver by the City of Orlando, of its grant of sovereign immunity under law.

By participating in this program, each business and property owner agrees to release the City from any liability that may arise due to the use of the right-of-way pursuant to this program, and further agrees to indemnify and hold harmless the City from and against any and all claims, damages, losses and expenses arising out of or resulting from the use of the right-of-way pursuant to this program.

The City reserves the right to require removal of any temporary sign or use within the right-of-way, at any time, as deemed necessary by the City.

GENERAL PROVISIONS

All activities, signs and temporary uses authorized by this program shall be removed should a tropical storm warning (or greater) be issued for Orange County. Additionally, all activities are only allowed for legal or legal non-conforming businesses located in the proper zoning district, which have obtained a valid business tax receipt from the City of Orlando.

Each business and property owner shall comply with all applicable federal, state and local laws, ordinances, rules and regulations, including the Americans with Disabilities Act. Violation of any federal, state or local law, or violation of any of the terms or conditions of this program, will result in the termination of all activities, signs and temporary uses authorized by this program.

The City reserves the right to end this program at any time. The Chief Administrative Officer is authorized to monitor, modify and implement this program. The Code Enforcement Division and Streets & Stormwater Division are authorized to enforce this program.

CONCLUSION

The City of Orlando appreciates our business community as they adapt to provide a safe environment that adheres to the guidance issued by our state officials. These temporary changes to regulations are proposed to provide an environment that can provide for social distancing in the phased openings of our businesses.

This program is part of a larger COVID-19 Economic Recovery Initiative of the City of Orlando and related items on the May 11 Council agenda. Additional items may come forward as part of this program in future City Council meetings as additional phases of business openings are implemented throughout the State of Florida.

REQUESTED ACTION

Acceptance of the Planning Official determination for temporary signs, outdoor sales and restaurant seating, and small tents, and Council authorization for the use of the City's rights-of-way and suspension of permits, fees or other approvals consistent with the elements of this program.

EXAMPLES OF TEMPORARY SIGNS

A-Frame Signs



Typical 3' x 2' A-Frame Sign



Windmaster style sign



Sandwich Board Sign

Flags



"Feather" Flag



"Teardrop" Flag



"Feather" Flag

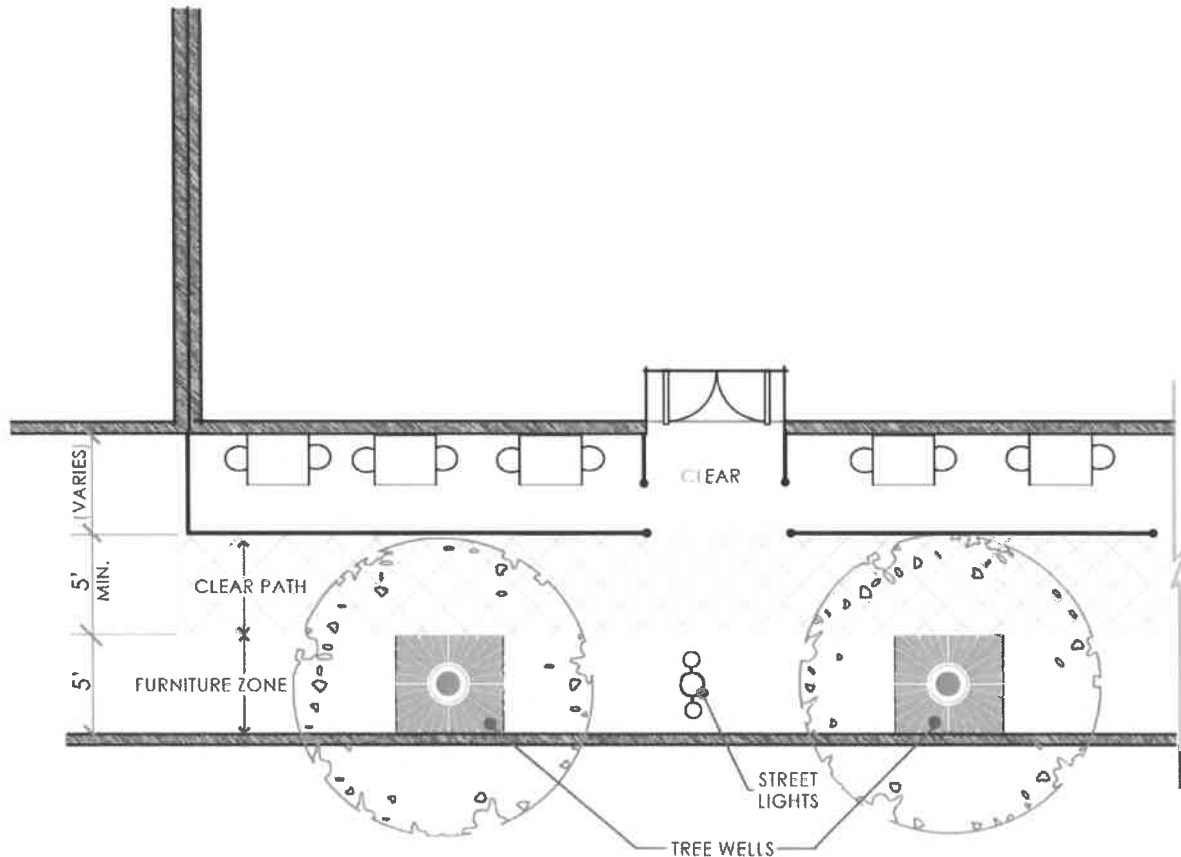
Banners



DDB Boundary



SIDEWALK CAFÉ DIAGRAM



SUMMARY NOTES:

1. Place all outdoor sales and seating to allow a 5-ft clear path for pedestrians.
2. Tents, outdoor sales, etc. shall be placed in the sidewalk café areas as depicted when located within the right of way.
3. Place signs outside of the clear path, and 2-ft behind the curb in furniture zone, or within sidewalk café areas.
4. If no furniture zone or parkstrip exists, place items 6-ft from the back of curb.



EXECUTIVE SUMMARY

SUBJECT: Boat Ramp & Tennis Key Policy Amendments

REQUESTED ACTION: Board Option

Work Session (Report Only) **DATE OF MEETING:** 5/12/2020
 Regular Meeting Special Meeting

CONTRACT: N/A Vendor/Entity: _____
 Effective Date: _____ Termination Date: _____
 Managing Division / Dept: _____

BUDGET IMPACT: _____
 Annual **FUNDING SOURCE:** _____
 Capital **EXPENDITURE ACCOUNT:** _____
 N/A

HISTORY/FACTS/ISSUES:

Mayor & Council,

Attached are the existing applications relative to the Town’s Park/Boat Ramp & Tennis Court Keys. AS we have seen in the past, some residents abide by the rules and some do not. Staff would recommend the following revisions:

- Each key will be numbered
- Applications will be amended to reflect the changes and key number logged
- Should a member of the applicant’s household be in possession of the key without prior authorization of the Town, that key will be confiscated and the resident (household) would not be eligible for renewal one year from the offense. (ex. Caught in September, we issue in October not very equitable if someone is caught in January)
- If someone is caught with a forged key that resident (household) will be banned for a two-year period.
- These amendments shall be for both passes.



614 MAIN ST. WINDERMERE, FL 34786
OFFICE: (407) 876-2563 FAX: (407) 876-0103

PARK PASS / BOAT RAMP PASS

ARTICLE II. BOATS AND BOAT TRAILERS CHAPTER 6 ARTICLE II SECTION 6-37 & SECTION 6-38

SECTION 6-37. BOAT LAUNCHING LOCATIONS

(a) Residents and property owners of the town may launch and recover boats or watercraft within the town from town property providing they have obtained a park pass, which must be renewed annually. The park pass must be displayed on the dashboard of a vehicle. Parking of boat trailers is not allowed on town property. The annual pass may be obtained upon payment of a fee to the Town of Windermere in an amount to be established by resolution of the Town Council. Unless and until the Town Council adopts a resolution establishing new fees, the fee amount shall be \$35.00. The passes shall be renewable each year by a date set by resolution of the Town Council. Unless and until the Town Council adopts a resolution changing the renewal date, boat launch passes shall be renewable each year by October 1. The launching locations are:

(1) Seventh Avenue at Butler Street at the town park.

(2) Foot of Ninth Avenue at Lake Bessie.

(b) It shall be unlawful for any boat or craft to be launched or recovered from any town property by any resident or property owner of the town, except at the places designated in subsection (a) of this section.

(c) Nonresidents or non-owners of property in the town shall not launch or recover any boat or craft within the town from town property except at County Road 439 near the east portion of the town.
(Ord. of 7-9-85; Ord. No. 90-1; Ord. No. 2006-07; Resolution 2007-05)

SECTION 6-38. PARKING BOAT TRAILERS

(a) It shall be unlawful for any boat trailer to be parked on any public property or road right-of-way within the town limits, except that such parking may be allowed with written permission from the Town Manager. (Ord. of 10-4-72(1), § 1; Ord. No. 2001-08)

(b) Any violation of this section shall be punished by a minimum fine of \$100.00 and a maximum fine not to exceed \$200.00. (Ord. of 10-4-72(1), § 1; Ord. No. 2001-08.)

NAME: _____

ADDRESS: _____ WINDERMERE, FL 34786

DRIVERS LICENSE #: _____

EMAIL: _____ PRIMARY PHONE: _____

SIGNATURE: _____ DATE: _____

PP # _____ ISSUED BY EMPLOYEE / DATE: _____ \$35 PERMIT FEE: _____



614 MAIN ST. WINDERMERE, FL 34786
OFFICE: (407) 876-2563 FAX: (407) 876-0103

TENNIS PASS

ARTICLE V. TENNIS COURTS CHAPTER 6 ARTICLE V SECTION 6-99

- 1) Property owners and residents of the TOWN of Windermere and their guests only may use the tennis courts for recreational play.
- 2) A per family tennis court use pass fee in the amount to be set annually by resolution of the Town Council will be paid directly to the Town of Windermere. Unless and until new fees are established by resolution of the Town Council, the tennis court use pass fee shall be **\$25.00**. The passes shall be renewable each year by a date set by resolution of the Town Council. Unless and until the Town Council adopts a resolution changing the renewal date, tennis court use passes shall be renewable **October 1**.
- 3) The gates to the courts will be locked and a key will be issued with each pass. **Members are responsible for locking the gate after use.** Replacement keys will be available for \$5.00 each.
- 4) The following court rules will apply:
 - a) Tennis shoes only, **no black soles**, will be worn while on the courts.
 - b) Shirts must be worn at all times
 - c) No glass containers or alcoholic beverages allowed on the courts
 - d) No animals, skating, bicycles, skateboards, roller blades ect. On the courts.
 - e) Players are limited one hour if other players are waiting; maximum two hours.
 - f) A guest must play with a Tennis Member.
- 5) Non-residents or non-owners of property in the Town of Windermere shall not use the tennis courts unless as a guest of a property owner or resident Tennis Member in the town. One court per resident tennis member is allowed.
- 6) **League play is addressed separately in Town of Windermere League Play Regulation and Agreement.**
- 7) A Tennis Member may have an outside professional coach for individual lessons, provided the above regulations are observed; one Tennis Member per court. The rule of first come, first served will be observed by all Tennis Members. The tennis member cannot reserve a court for their individual tennis lesson.

Any person violating this ordinance shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00). (Ord. No 98-8; Ord. No. 99-6; Ord. No 2006-02; Resolution 2007-06)

NAME: _____

ADDRESS: _____ WINDERMERE, FL 34786

DRIVERS LICENSE #: _____

EMAIL: _____ PRIMARY PHONE: _____

SIGNATURE: _____ DATE: _____

TP # _____ ISSUED BY EMPLOYEE / DATE: _____ \$25 PERMIT FEE: _____