

Town of Windermere Comprehensive Plan

Volume 1: Goals, Objectives, & Policies

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Town of Windermere
Comprehensive Plan
Goals, Objectives, and Policies

Adopted

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**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 1

FUTURE LAND USE ELEMENT

FUTURE LAND USE GOALS, OBJECTIVES AND POLICIES

GOAL 1: Retention of the quaint distinctive residential character of the Town by promotion of safe, high quality residential development and a low level commercial activity, while preserving the natural features of the area and minimizing threats to the citizens caused by hazards, nuisances, incompatible land uses or environmental degradation while providing a sense of place and history.

NOTE: MEASURABILITY OF THE OBJECTIVES WITHIN THIS *ELEMENT* SHALL BE BY THE IMPLEMENTATION OF THE POLICIES WITHIN EACH OBJECTIVE OF THE *ELEMENT*.

OBJECTIVE 1.1: *Level of Service.* The Town shall require that facilities and services to maintain established levels of service standards are available concurrent with the impact of development.

POLICY 1.1.1: The Town shall continue to implement its Concurrency Management System.

POLICY 1.1.2: All development orders and permits for future development and redevelopment activities shall be issued in accordance with the Town's Land Development Regulations.

OBJECTIVE 1.2: *Soil Conditions and Topography.* The Town shall require that soil conditions, topography, and availability of facilities and services are coordinated with land uses.

POLICY 1.2.1: The Town shall continue through the Land Development Regulations, to require that sound engineering practices are required with respect to the topography and soil conditions, prior to the approval of development activities within the Town.

POLICY 1.2.2: The developer/owner of any site shall be responsible for the on-site management of runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions.

POLICY 1.2.3: Extraction of natural resources shall not be permitted.

OBJECTIVE 1.3: *Blighted Areas.* Blighted areas, should they occur, shall be redeveloped

POLICY 1.3.1: The Town shall monitor through the Code Enforcement process areas of the Town to determine if blighted areas are occurring.

POLICY 1.3.2: The Town shall require all land owners to prevent deterioration of their properties so as to preclude blighted areas and enhance the value of their property.

POLICY 1.3.3: The Town shall make use of its Code Enforcement staff and the Special Magistrate to require needed improvements to blighted properties within the Town.

OBJECTIVE 1.4: *Urban Sprawl.* Urban sprawl, scattered, untimely poorly planned development and uses inconsistent with the character of the Town shall be prohibited, eliminated or reduced so as to preserve and enhance the quality of life in the Town and nearby areas. This objective shall be measurable by implementing the following policies as well as those in the other *Elements* of this *Plan*.

POLICY 1.4.1: Future development and redevelopment activities shall be directed in appropriate areas as depicted on the *Future Land Use Map*, consistent with sound planning principles, minimal natural limitations, prevention of urban sprawl, the *Goals, Objectives and Policies* contained within this *Comprehensive Plan* and in a harmonious pattern to take full benefits of the natural environment and to enhance the character of the Town.

- POLICY 1.4.2:** The Town Council shall require that zoning and/or other land use decisions are consistent with the uses envisioned on the *Future Land Use Map* and with the Town's Land Development Code.
- POLICY 1.4.3:** The Town Council shall require that all persons responsible for enforcement of development/redevelopment and/or other land use regulations are adequately trained and are knowledgeable in the need for such regulations.
- POLICY 1.4.4:** The Town shall continue to enforce existing requirements for site plan review in order to require that all new development makes adequate provision for conservation, protection of water resources, drainage, storm water management, open space, parking and safe convenient on-site traffic flow.
- POLICY 1.4.5:** The Town shall continue to enforce the standards in the Land Development Regulations regarding the size, height, and bulk of adjoining properties to adequately protect surrounding properties from incompatible and inconsistent land uses.
- POLICY 1.4.6:** The Town shall forbid spot zoning and strip zoning.
- POLICY 1.4.7** The Town shall continue to require amendments and variance requests to be reviewed to ensure that such requests are consistent and compatible with the surrounding area. These requests shall not encourage further requests for changes into areas where such would not be deemed appropriate.
- POLICY 1.4.8:** The Town shall continue to enforce its Land Development Regulations so that the following provisions are implemented:
- (a) Regulate the subdivision of land;
 - (b) Regulate the use of land and water for those land use categories included in the *Future Land Use Element* and

- ensure the compatibility of adjacent uses and provide for open space;
- (c) Provide for protection of potable water well field;
 - (d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and storm water management;
 - (e) Ensure the protection of environmentally sensitive lands as outlined in the *Comprehensive Plan*;
 - (f) Regulate signage;
 - (g) Provide that public facilities and services meet or exceed the standards established in the *Capital Improvements Element* required by s. 163.3177 and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development; and
 - (h) Ensure safe and convenient onsite traffic flow, considering needed vehicle parking.

POLICY 1.4.9: The Town shall continue to require that redevelopment and renovation activities remain in harmony with surrounding residential properties. The Town shall use the Florida Building Code in effect at the time of permitting for construction standards on redevelopment and renovation activities.

POLICY 1.4.10: Existing land uses which are incompatible or inconsistent with the *Future Land Use Plan* shall not be increased by the Town and shall be eliminated as redevelopment occurs to the extent feasible.

POLICY 1.4.11: The Town shall coordinate with appropriate nearby governments and others to maximize input by all parties into the development review process and to mitigate potential adverse impacts of future development activity in adjacent areas and coordination with their *Future Land Use Maps*.

POLICY 1.4.12: The conversion of residential properties to office and commercial uses along Main Street shall not be approved in order to maintain the character of the downtown area.

- POLICY 1.4.13:** The Town shall consider incentives for developing land in a way that maximizes the use of existing public facilities and enhances the quality of life in the Town.
- POLICY 1.4.14:** The Town shall continue to ensure that urban sprawl is discouraged by enforcing its Land Development Regulations with regards to conservation, resource protection, land use, housing, and capital funding .
- POLICY 1.4.15:** The Town shall maintain the *Future Land Use Map* to ensure that lands appropriate for and planned for urban land uses and those scheduled for the provision of public facilities and services are provided on the *Future Land Use Map*.
- POLICY 1.4. 16:** The urban service area is the same as the incorporated Town limits.
- POLICY 1.4. 17:** Public elementary schools are a permitted use in any land use category except Conservation.
- POLICY 1.4.18:** Public middle and high schools are a permitted use in the PUD/Mixed Use Land Use Category.
- POLICY 1.4. 19:** Where additional lands are considered for annexation into the Town, consideration shall be given to the provision of adequate sites for public schools required by the Orange County School Board.
- POLICY 1.4. 20:** To the extent possible, schools should be collocated with public facilities such as parks, libraries, and community centers.
- POLICY 1.4. 21:** A Town Center District is hereby implemented as shown on the *Town Center District Map*. The permitted land uses include the following:

1. Business and Professional Office;
2. Government Offices and related ancillary uses;
3. Bank and Financial institutions;
4. Churches and related ancillary uses;
5. Personal Services such as barber/beauty, personal training, spa, salons, pottery shops, art/painting galleries or studios, dance studios, etc.;
6. Restaurants and bakeries (drive through window services and fast food restaurants are prohibited);
7. Light retail uses such as bicycle shop, hardware (no outdoor storage), home décor, florist, clothing, specialty fashion, jewelers, bookstores, house hold goods and services, antiques, pharmacies, (drive through window services prohibited), and Segway/electrical vehicle shops, etc.;
8. Storm water retention/detention areas and landscaping permitted within restricted buffer areas shown on the *Town Center District Map*. Dimensions of the buffer area will be determined during the development of the design standards prescribed in Policy 1.4.22 ; and
9. Residential

POLICY 1.4. 22: The Town shall use the Town Center PUD Zoning District to implement the Town Vision Plan and all development activities which occur within the defined area. All development shall be subject to further design and development standards adopted by the Town as part of this Zoning District.

OBJECTIVE 1.5: *Preservation and Protection of the Natural Environment.* The Town shall require the preservation and protection of the natural environment through use of its Land Development Regulations and this objective shall be measurable by implementing the following policies.

POLICY 1.5.1: The Town shall continue to enforce its storm water management ordinance in order to preserve and protect natural features and prevent discharge into local lakes of any runoff from streets, roads and lakefront lots. .

POLICY 1.5.2: The Town shall require that new development is not permitted within the 100-year Flood Hazard Area, unless proper compensatory storage is provided, and any County or State regulations are complied with, and that the *Flood Hazard Ordinance* is kept current.

POLICY 1.5.3: The Town shall continue to minimize the removal of protected trees by enforcing its *Tree Preservation Ordinance*.

POLICY 1.5.4: The Town shall use the guidelines and standards established in its *Landscape Ordinance* to:

- preserve and expand the natural resources of the Town;
- identify landscape buffer zones in between parcels and land uses;
- enforce tree planting requirements; and
- identify the type and nature of landscaping; such as Florida-Friendly landscaping for new development or redevelopment projects.

POLICY 1.5.5: The Town shall utilize its PUD *Ordinance* rather than conventional zoning ordinances in all new subdivisions on 2 acres or greater in size, to provide better control and preserve open spaces, provide parking, control traffic flow and preserve natural resources, environmentally sensitive land and water recharge areas.

POLICY 1.5.6: Consistent with Orange County Health Department permitting, Septic tanks and other individual wastewater treatment systems shall not be used in areas deemed environmentally unsuitable for their proper and continual function.

POLICY 1.5.7 : The Town shall continue to protect potable water wellheads by maintaining the Cone of Influence (zone of exclusion, where no development activity is permitted). The Town's zone of protection shall prohibit the following uses:

1. landfills;
2. facilities for the bulk storage, handling or processing of materials on the Florida Substance List;
3. activities that require the storage, use or transportation of restricted substances, agricultural chemicals, petroleum products, hazardous toxic waste, medical waste, etc;
4. feedlots or other commercial animal facilities;
5. wastewater treatment plants, percolation ponds, and similar facilities;
6. mines; and
7. excavation of waterways or drainage facilities which intersect the water table. Should Orange County or South Florida Water District enact other or additional regulations.

The Cone of Influence shall have a 300' radius and the protection zone a 600' radius.

POLICY 1.5.8 : The Town shall coordinate with Orange County and other applicable governmental agencies to enact specific education, monitoring, and enforcement programs regarding lake protection measures for all lakes within and surrounding Windermere.

OBJECTIVE 1.6: *Properties with Historical Value.* The Town shall require the preservation of properties with historical value or interest to the Town as outlined in the *Housing Element*.

POLICY 1.6.1: The Town shall continue to assist the Historic Preservation Board in its efforts to provide public information, education and technical assistance relating to archaeological sites and historic preservation programs and to assist in preparation of any needed regulations.

POLICY 1.6.2: Historically significant structures, when identified, shall be protected and the owners encouraged in taking steps to preserve the property.

POLICY 1.6.3: The Town shall assist property owners of historically significant property in applying for and utilizing state and federal assistance programs.

POLICY 1.6.4: The Town shall use the *Florida Master Site File* as a resource to identify archeological resources and historically significant structures.

OBJECTIVE 1.7: *Utility Facilities.* The Town shall require the availability of suitable land for utility facilities needed to support new developments.

POLICY 1.7.1: Utility facilities shall continue to be permitted in all zoning classifications established in the Town’s Land Development Regulations. These facilities shall be designated in areas consistent with and compatible to surrounding land uses with appropriate restrictions to protect adjacent land owners.

POLICY 1.7.2: The Town shall require, prior to approval of a building permit and/or development order, that the locally established “Level of Service of Standards” are being met or that facility improvements will be available concurrently with the impact of new construction or development such that level of service standards are maintained

POLICY 1.7.3: The Town shall coordinate with Orange County as the provider of potable water and sanitary sewer services, on the future needs of the Town with regards to these utilities.

OBJECTIVE 1.8: *Innovative Land Development Regulations.* Future growth and development shall be managed through the preparation, adoption, implementation and enforcement of innovative land development regulations.

POLICY 1.8.1: The Town shall continue to use its *Planned Unit Development (PUD) Ordinance* to promote flexible zoning practices and to include mixed use zoning where the adequate infrastructure such as central sewer and water are available.

POLICY 1.8. 2: The Town shall biannually review its Land Development Regulations to ensure that they are consistent with the *Comprehensive Plan* and changes in the community and that they reflect, to the extent possible, improvements in methods and practices in the regulation of land uses.

POLICY 1.8. 3: The Town shall continue to involve the police department in review of subdivision or commercial/office preliminary plans to enhance public safety through identification of crime prevention design strategies and improvement of traffic flow.

POLICY 1.8. 4: Prior to annexation or creation of a new development, the owner(s), or developer(s) shall investigate and certify to the Town in writing that:

- the plan is consistent with the Town's *Future Land Use Element*;
- no surface water or groundwater contamination exists;
- no underground storage tanks are present or are disclosed;
- no point or non-point sources of water pollution exist or are disclosed; and
- all wetlands, floodplain, conservation area, ecological or environmentally sensitive areas, wildlife habitats, and protected wildlife are identified and disclosed.

POLICY 1.8. 5: The Town shall establish, adopt and implement density and intensity standards for all future land uses, as applicable, and as indicated on the *Future Land Use Map* and the adopted Town *Zoning Map*.

Density and intensity standards for land uses in Windermere are featured below in Table 1.1.

TABLE 1.1: FUTURE LAND USE AND DENSITY

Land Use Category	Maximum Potential Gross Density/Intensity*
Agriculture	1 dwelling unit per lot platted or created by record prior to the adoption of this comprehensive plan or 1 dwelling unit per 10 acres on other lands
Commercial	Maximum floor area ratio (FAR) of 0.60; impervious surface ratio (ISR) of 0.80
Conservation	No development except dock walkways that meet the minimum required footage under the Florida Accessibility Code is permitted.
Public Use	Maximum FAR for governmental use 1.0, for institutional use 0.75, and for public service use 0.50 ; ISR of 0.80
Recreation	No building is permitted except equipment storage and restrooms, picnic pavilions, or other recreation facilities ; A maximum ISR of 0.25
Residential	Maximum density of 1 dwelling unit per acre or for waterfront lots or 1 dwelling unit per 0.75 acres for interior lots or 1 dwelling unit per lot platted or created by record prior to the adoption of this comprehensive plan
PUD/Mixed Uses	<p>All uses with the exception of agriculture. This land use is only allowed on lands in the Town Center District. Maximum building height is 35 feet. The following represent the maximum percentage of the use with regard to the total building square footage in the PUD/Mixed Uses land use category:</p> <ul style="list-style-type: none"> • Restaurants 30% • Retail 30% • Medical office 20% • General office 50% • Residential 30% • Public Use/Churches 30% • Recreation 30%
PUD/Residential	Maximum total density of 1 dwelling unit per 0.5 acre. All lakefront lots shall be a minimum of 1 acre in size and shall only be developed with 1 dwelling unit per lot.

Note: *The maximum densities and intensities are not guaranteed. The actual densities or intensities of development may be less than shown in the table based on further regulation by the Land Development Code and site conditions.

OBJECTIVE 1.9: *Maintaining Future Land Use Map.* The Town shall exercise control over land use by maintaining its *Future Land Use Map* and *Town Center District Map*.

POLICY 1.9.1: The Town shall maintain unified Land Development Regulations that will regulate:

- all land uses shown on the *Future Land Use Map*;
- all land uses shown on the *Town Center District Map*;
- the subdivision of land;
- the location, size, and height of signage;
- areas subject to periodic flooding; and
- the type of land use based on the suitability for the topography, soils condition, and availability of public services and facilities .

OBJECTIVE 1.10: *Annexations.* The Town shall continue to maintain the Town's character and quality of life standards when annexing neighboring lands.

POLICY 1.10.1: The Town shall discourage urban sprawl when annexing properties and ensure that the public services and facilities will be readily available prior to annexation consistent with the Town's Concurrency standards.

POLICY 1.10.2: The Town shall continue to consider annexation of neighboring residential communities to promote responsible urban growth, safeguard natural resources, and to expand the Town's economic base.

POLICY 1.10.3: The Town shall continue to consider annexation of the vacant 43± acres located adjacent to the eastern Town limits at the intersection of Conroy Windermere Road and Apopka Vineland Road to ensure that:

- the scale, intensity, and type of any proposed development is compatible and consistent with the Town's existing land uses and Land Development Regulations;
- the Town promotes responsible urban growth;
- the Town safeguards natural resources; and
- the Town create opportunities to expand the Town's economic base.

POLICY 1.10.4: The Town shall use annexation and subsequent land use petition processing as a guide to the location, timing and character of development on the Town's edge to ensure that:

- the scale, intensity, and type of any proposed development is compatible and consistent with the Town's existing land uses and Land Development Regulations;
- the Town promotes responsible urban growth;
- the Town safeguards natural resources; and
- the Town create opportunities to expand the Town's economic base.

POLICY 1.10.5: The Town shall pursue a Joint Planning Area Agreement and/or an Interlocal Service Boundary Area Agreements with Orange County, and/or Ocoee and Winter Garden. The Town shall, whenever possible and appropriate, use annexations and subsequent land use petition processing as an opportunity to enter into an interlocal agreement with Orange County regarding responsibility and timing of services and infrastructure within an agreed upon Joint Planning Area.

POLICY 1.10.6: The Town shall estimate the fiscal impacts of proposed annexations and/or land use changes on levels of service and the Town's costs and revenues; then apply this information in formulation of the Town's *Capital Improvement Program*.

OBJECTIVE 1.11: *Capital Improvements.* The Town shall review its 5-year Capital Improvements Plan (CIP) annually.

POLICY 1.11.1: The Town shall include adequate funding for the replacement of Town-owned equipment and facilities in its 5-year CIP.

POLICY 1.11.2: The Town shall include any projects in its 5-year CIP necessary to meet the adopted level of service standards outlined in this Comprehensive Plan.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 2

TRANSPORTATION ELEMENT

TRANSPORTATION GOALS, OBJECTIVES AND POLICIES

GOAL 1: A safe, timely, economical, convenient and efficient motorized and non-motorized transportation system shall be available for all residents and visitors to the Town while still maintaining the natural beauty and unique character of the Town.

ALL OBJECTIVES IN THIS *ELEMENT* SHALL BE MEASURABLE BY IMPLEMENTATION OF THE POLICIES THAT FOLLOW FOR THE OBJECTIVE.

OBJECTIVE 1.1: *Level of Service* Use the adopted level of service standards to manage congestion and address the safety of Town roadways.

POLICY 1.1.1: The Town establishes the following advisory peak hour/direction Level of Service Standard for each listed facility as indicated below.

CLASSIFICATION	PEAK HOUR/DIRECTION
Collector Roads	D
Local	E

POLICY 1.1.2: Level of Service Standards shall be monitored yearly.

OBJECTIVE 1.2: *Safe Transportation System.* The Town shall provide a safe transportation system as well as a safe environment for pedestrians and cyclists through stricter law enforcement, safer road design, maintenance and improvements.

POLICY 1.2.1: Safety, convenience, traffic flow and aesthetics shall be the primary concern in all transportation planning.

POLICY 1.2.2: The Town shall continue its close communication and coordination with the Orange County Sheriff so as to maintain and improve the efficiency of law enforcement.

POLICY 1.2.3: The Police Department shall continue - enforcement of the speed limit, apprehension of drunken drivers, requiring use of automobile occupant restraint devices, and other traffic regulations.

POLICY 1.2.4: The Town shall continually review accident reports to determine high accident locations; correct existing hazardous conditions and have an annual accident frequency report prepared.

POLICY 1.2.5: The Town shall continue to enforce the parking regulations established in the Town's Land Development Code to minimize potential - safety hazards.

POLICY 1.2.6: Timely resurfacing of Town streets shall continue to be done so as to minimize costly reconstruction and to enhance safety.

OBJECTIVE 1.3: *Transportation Coordination.* Transportation planning shall be coordinated with the citizens of the Town so that-transportation systems are responsive to the needs of the citizens of the Town.

POLICY 1.3.1: The Town shall provide early, adequate, continuing, cooperative and comprehensive opportunities for ongoing public input, discussion and review in the development and updating of transportation plans.

POLICY 1.3.2: The Town shall seek public review and comment on all new roadway construction proposals and widening projects.

POLICY 1.3.3: The Town shall discourage cut through traffic on local streets to avoid hardships to established neighborhoods.

OBJECTIVE 1.4: *Safe, Convenient, and Energy Efficient System.* The Town shall provide a safe, convenient, and energy efficient transportation system.

POLICY 1.4.1: The Town shall continue to enforce adequate site review regulations to ensure a safe and efficient transportation circulation.

POLICY 1.4.2: The Town shall examine yearly, within their capabilities, measures to enhance traffic flow capacity.

POLICY 1.4.3: Planning for transportation facilities shall include :

- a. All streets/roads are constructed and certified to meet all County standards;
- b. Residential street layouts avoid four-way intersections;
- c. Residential areas are accessible to emergency vehicles;
- d. Through traffic on residential streets shall be avoided;
- e. New subdivisions or developments shall address circulation, access control, off-street parking and landscaping of median strips and rights-of-way; and
- f. Design criteria for landscaping and signs along new streets/roads shall be maintained.

POLICY 1.4.4: No plantings, fencing or construction shall be permitted on street/road rights-of-ways except with the permission of the Town Council. In addition, all streets will be examined for existing hazards which if discovered should be eliminated.

POLICY 1.4.5: The Town shall require new development to submit a site plan that provides for adequate off-street parking and safe, convenient on- site and off-site traffic flow for motorized and non-motorized vehicles.

OBJECTIVE 1.5: *Access Points.* The Town shall continue to enforce its zoning regulations so as to control access points onto arterial and collector streets and roadways.

- POLICY 1.5.1:** The guidelines and standards for the location of access points shall be addressed as a minimum:
- a. Access points to major streets/roads shall be limited in number;
 - b. Where frontage roads are available, no additional access points shall be permitted between established intersections;
 - c. In the design of new areas, frontage roads shall be provided, whenever right-of-way is available, so as to provide access to private property; and
 - d. Distance from intersections, width and frontage requirements should be studied.

OBJECTIVE 1.6: *Bicycle Paths and Pedestrians.* Bicycle paths and pedestrian walkways shall be required in any expansion of the transportation system and in new developments.

POLICY 1.6.1: Bicycle paths and pedestrian walkways shall connect schools, the Town Center District, parks and recreational areas and should include plans for bicycle parking.

POLICY 1.6.2: The County shall be encouraged to provide bikeways in areas adjacent to the Town that will connect with the Town system.

POLICY 1.6.3: The Town shall enforce the guidelines and standards established in the Land Development Regulations regarding bicycle paths and pedestrian walkways to reduce the potential for automobile emission pollution and promote the use of bicycles and walking in the Town.

OBJECTIVE 1.7: *Environmental Concern.* The environment shall be a major concern in any expansion of the transportation system.

POLICY 1.7.1: Planning for future transportation improvements shall recognize the sensitivity of the natural environment so as to protect the quality of existing and future neighborhoods.

POLICY 1.7.2: Transportation facilities shall not be placed in conservation resource areas or impact those places unless an overriding public need can be clearly demonstrated.

POLICY 1.7.3: The State and County shall be encouraged to monitor the environment before, during and after construction of traffic improvements.

POLICY 1.7.4: New or improved streets/roads shall use vegetated swale drainage and properties adjoining new or improved streets/roads shall be required to come into compliance with the Town's Stormwater Regulations concurrent with the completion of the road construction. Where improvements are not completed by the Property owner, the Town, 10 days after notifying the owner, shall make such necessary improvements and bill the owner. Should payment not be made within 60 days of transmittal of the bill, a lien shall be filed by the Town.

OBJECTIVE 1.8: *Future Transportation Map.* The Town shall exercise control over transportation planning and changes by maintaining a *Future Transportation Map*.

POLICY 1.8.1: All transportation planning shall be consistent with the *Future Transportation Map* which is adopted with this *Plan* by the Town Council along with the *Future Land Use Map* and the *Capital Improvements Element*.

- POLICY 1.8.2:** Any changes to the transportation system shall be reviewed for conflicts with the *Future Land Map*. The *Future Transportation Map* and the *Capital Improvements Element* shall be coordinated and changed concurrently if necessary.
- POLICY 1.8.3:** Any proposed amendments to this *Element*, to include the *Future Transportation Map*, shall include a statement of findings supporting such proposals.
- POLICY 1.8.4:** Energy efficiency shall be a consideration in any plans for improvements or expansion of the road network by the Town.
- POLICY 1.8.5:** The Council shall review all proposed developments for consistency with this *Element* .
- POLICY 1.8.6:** The Town shall review its *Future Transportation Map* yearly.

OBJECTIVE 1.9: *Coordination with Transportation Authorities.* The Town shall coordinate traffic circulation system and planning with adjacent towns, the County, METROPLAN Orlando, Florida Department of Transportation (FDOT) and other transportation authorities or planning groups involved in planning construction and operation of Transportation facilities and services and shall provide protection of rights of way and acquisition and preservation of existing and future rights-of-way.

- POLICY 1.9.1:** The *Intergovernmental Coordination Element* shall be used as a guide in establishing or enhancing communication or transportation planning and problems.
- POLICY 1.9.2:** The Town shall share its *Future Transportation Map* and proposed changes thereto with neighboring towns and the County and review for compatibility the transportation plans of those agencies.

- POLICY 1.9.3:** The Town shall continue to provide for protection of rights-of-way from building encroachments as well as providing for the acquisition and preservation of any existing and future rights-of-way.
- POLICY 1.9.4:** The Town shall continue requiring dedication of needed rights-of-way from new development, through subdivision regulations and applicable local ordinances.
- POLICY 1.9.5:** The Town shall continue to pursue grant opportunities for median landscaping and road beautification.
- POLICY 1.9.6:** The Town shall prohibit encroachment of development and required setbacks into established present and future rights-of-way and, within the law, require dedication of rights-of-way through development orders issued by the Town.
- POLICY 1.9.7:** The Town shall coordinate with the County and METROPLAN Orlando MPO on a Congestion/Mobility Management Program to identify Transportation Demand Management strategies to mitigate peak-hour congestion impacts. Strategies may include: growth management and activity center strategies, telecommuting, transit information systems, alternative work hours, carpooling, vanpooling, guaranteed ride home program, parking management, addition of general purpose lanes, channelization, computerized signal systems, intersection or midblock widenings, and Intelligent Transportation System.
- POLICY 1.9.8:** The Town shall coordinate with the County and METROPLAN Orlando MPO in the establishment of numerical indicators against which the achievement of the mobility goals of the community can be measured, such as modal split, annual transit trips per capita, and automobile occupancy rates.

POLICY 1.9.9: The Town shall ensure that all assumptions and policies in the *Transportation Element* are consistent or coordinated with other Plan Elements, the METROPLAN Orlando MPO Long-range Transportation Plan, the FDOT adopted Five-year Work Program, the long-range and short-range elements of the Florida Transportation Plan, the East Central Florida Strategic Regional Policy Plan, and the Orange County Comprehensive Plan through establishment of formal coordination mechanisms and other informal coordination mechanisms.

POLICY 1.9.10: The Town shall cooperate with the County, METROPLAN Orlando MPO, and FDOT to identify the future conditions and road improvements necessary to develop alternative road bypass route(s).

OBJECTIVE 1.10: *Various Funding Strategies.* The Town shall explore and implement, where feasible, various funding strategies including provision of land and/or services, user fees, impact fees, bond financing, etc. for maintenance, improvement or acquisition of transportation facilities.

POLICY 1.10.1: Continue to fund maintenance of the Town road system using all available funds.

POLICY 1.10.2: Develop a revenue base for transportation which is consistent with goals and policies of this *Plan*.

POLICY 1.10.3: The Town shall continue to consider matching funds from the residents for the expansion of bike paths and sidewalks.

POLICY 1.10.4: The Town may assess benefiting landowners a proportionate share of costs associated with improvement of paved streets based on the provision of enhanced level of service benefit accruing from such improvements or resurfacing.

POLICY 1.10.5: The Town shall continue to implement its program for the mandatory dedication of necessary rights-of-way and for providing needed roads and transportation facilities or the creation of impact fees to provide the above for any new developments within the Town so as to not burden existing residents.

OBJECTIVE 1.11: *Natural and Manmade Disasters.* Protection of public and private property and human lives from the effect of natural and manmade disasters.

POLICY 1.11.1: The Town shall continue to implement its *Emergency Evacuation Plan* to protect public and private property as well as human lives in the case of natural or manmade disaster.

POLICY 1.11.2: The Town shall coordinate with the County and adjacent communities for proper evacuations resulting from disasters.

POLICY 1.11.3: The Town shall continue to require that doctors and dentists provide the police department and the Ocoee Fire Department and other required agencies with current biohazardous contingency plans.

OBJECTIVE 1.12: *Public Transit.* In the event that LYNX proposes any plans to establish a transit route in Windermere, the Town shall work with LYNX to provide a safe and efficient public transit system.

It should be noted, however, due to Windermere's limited population, with dirt roads that would not accommodate bus traffic, and due to the very limited non-residential uses within the Town, any public transit would probably be limited to only a few roads within the Town and ridership from within Windermere would be very limited in scope.

POLICY 1.12.1: Transit ridership shall be accommodated on certain Town roads. It is anticipated that if LYNX were to establish a route through Windermere, it would most likely be taking residents to work, shopping, or other venues outside the Town. The Town shall encourage any such public transportation by:

- Working with LYNX to determine where a transit stop may be feasible;
 - Requiring transit stops to meet ADA requirements; and
- Clearly delineated walkways from the building to the transit stop.

GOAL 2: Coordinate the transportation system with future land use to ensure that existing and proposed land uses are consistent with transportation corridors, capacity, modes, and services.

OBJECTIVE 2.1: *Future Land Use Compatibility.* The *Transportation Element* shall be compatible with the *Future Land Use Element* and the *Future Land Use Map*.

POLICY 2.1.1: The Town shall utilize population, dwelling unit and employment projections obtained in the *Future Land Use Element* as data assumptions in Town transportation models.

POLICY 2.1.2: In areas designated for new growth, the Town shall determine the transportation system improvements needed prior to development approvals.

POLICY 2.1.3: Decisions and actions the Town initiates or implements that will have an impact on the transportation system shall be consistent with the adopted *Future Land Use Map* and *Future Land Use* goals, objectives and policies of this *Plan*.

OBJECTIVE 2.2: *Transportation Costs.* The Town shall establish mechanisms that will allow new growth to proportionally contribute to the cost of new transportation capital facilities.

POLICY 2.2.1: The Town shall review all development proposals and require

that they provide sufficient information to ascertain impacts on the Town's transportation facilities.

POLICY 2.2.2: Where feasible, the Town shall enter into development agreements with proposed land developments to establish how project impacts may be addressed through mechanisms such as right-of-way dedication, roadway construction, multimodal design (bicycle, pedestrian, golf cart), financial payments, and site access

POLICY 2.2.3: Land development shall bear proportionate share of the cost of the provision of the new or expanded road capital facilities or signalization required by such development.

POLICY 2.2.4: The Town shall require all new developments to pay their fair share for the improvement or construction of needed transportation facilities to mitigate congestion and maintain safety. Fair share payments will be collected consistent with the adopted *Proportionate Fair Share Ordinance*.

OBJECTIVE 2.3: *Residential Conversions and Constrained Facilities.* The Town shall establish mechanisms that will discourage the conversion of current residential properties to non-residential uses on constrained facilities.

POLICY 2.3.1: The Town shall discourage the conversion of residential properties to non-residential uses along constrained facilities as identified by the Town Council.

POLICY 2.3.2: The Town shall discourage the conversion of residential properties to non-residential uses adjacent to the Town Center to preserve the character of the Town Center area and to discourage land uses with limited ability to improve the traffic flow along the Main Street corridor

The Town does not have a port, an airport, rail and seaport facilities, or related facilities.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 3

HOUSING ELEMENT

HOUSING GOALS, OBJECTIVES AND POLICIES

GOAL 1: The provision of safe, adequate, sanitary housing to meet the needs of the present and future residents of the Town while encouraging retention of historically significant structures.

NOTE ALL OBJECTIVES IN THIS *ELEMENT* SHALL BE MEASURABLE BY IMPLEMENTATION OF THE POLICIES THAT FOLLOW EACH OBJECTIVE.

OBJECTIVE 1.1: *Housing Implementation Program.* The Town shall maintain its housing implementation program to require safe, adequate, sanitary and affordable housing for the existing population and by 2035 for the anticipated population growth to include those persons needing special housing.

- POLICY 1.1.1:** The Town shall encourage members of the home building profession, financial institutions, real estate firms and developers to adopt affirmative marketing plans that comply with Federal housing requirements
- POLICY 1.1.2:** The Town shall continue to use the Florida Building Code for all building permitting.
- POLICY 1.1.3:** The Town shall continue to promote standards to eliminate any housing discrimination and encourage housing opportunities for all of its citizens, and encourage involvement of the Town, its citizens and both private and non-profit sector in the housing production effort.
- POLICY 1.1.4:** The Town shall ensure that residential land use policies are compatible with environmentally sensitive areas and continue to encourage residential development into areas which do not demonstrate significant environmental constraints.

- POLICY 1.1.5:** The Town shall remain within the National Flood Insurance Program and maintain its ordinances in compliance with that program.
- POLICY 1.1.6:** The Town shall continue to enforce regulations established in the Land Development Code to create innovative permitting, building, zoning and parking codes and standards that support the local residents' visions of the Town's image.
- POLICY 1.1.7:** The Town shall provide clear and concise ordinances, codes, regulations and permitting process for the purpose of eliminating excessive requirements in order to increase private sector participation in meeting the housing needs.
- POLICY 1.1.8:** The Town shall designate sufficient sites on the *Future Land Use Map* to meet the projected housing needs of the Town.
- POLICY 1.1.9:** The Town shall support job training, job creation and economic development as a part of the overall strategy addressing the affordable housing needs of the Town, while recognizing that these efforts will be limited due to the limited amount of non-residential development in Windermere.
- POLICY 1.1.10:** The Town shall continue to look into the benefits of annexation to enhance the Town's housing stock.

OBJECTIVE 1.2: *Substandard Housing.* The Town shall eliminate any substandard housing by 2025 and shall take steps to maintain and improve the quality and aesthetics of the Town's housing

- POLICY 1.2.1:** The Town shall require that the *Zoning Map* remains consistent with the requirements of the *Future Land Use Element and Map*.

- POLICY 1.2.2:** The Town shall continue to ensure that existing land uses are compatible and consistent with the surrounding land uses, the *Future Land Use Element*, and the *Zoning Regulations*.
- POLICY 1.2.3:** The Town shall require energy-efficient and water saving measures to be implemented in all new construction and redevelopment projects.
- POLICY 1.2.4:** The Town shall maintain code enforcement activities through regular - inspections of the housing stock and institute special concentrated code enforcement activities where warranted.
- POLICY 1.2.5:** As needed, the Town shall continue to seek federal and state funding for housing subsidy programs and the rehabilitation and/or demolition of identified substandard housing.

OBJECTIVE 1.3: *Low and Moderate-Income Housing.* The Town shall require that development regulations do not prevent the provision of very low, low, and moderate-income housing.

- POLICY 1.3.1:** The Town shall, by December 2020, review its regulations- to reduce barriers to permitting very low, low and moderate-income housing and manufactured homes. The Town shall continue to allow manufactured homes in residential areas and to maintain corresponding development standards for manufactured homes.
- POLICY 1.3.2:** The Town shall continue to enforce the guidelines and standards established in the Town’s Land Development Regulations to enable single family homeowners to provide accessory dwelling units (i.e., accessory apartments or guesthouses) as a means of extending the supply of affordable housing for the elderly and others.

POLICY 1.3.3: The Town shall cooperate with Orange County Housing and Community Development, Orlando Housing Authority, and other appropriate agencies to determine possible sites and programs for housing for very low, low, and moderate-income persons.

POLICY 1.3.4: The Town shall designate sufficient sites on the *Future Land Use Map* to meet the projected affordable housing needs of the Town.

OBJECTIVE 1.4: *Special Population Groups.* The Town shall continue to cooperate with other governmental agencies and any private organizations to ensure that the needs of special population groups are met.

POLICY 1.4.1: The Town shall continue to cooperate with Orange County by participation in Community Development Block grants from HUD.

POLICY 1.4.2: The Town shall encourage Orange County to utilize local, State and Federal housing programs to upgrade existing substandard units and to provide rental and mortgage assistance to very low, low, and moderate income and special needs groups.

OBJECTIVE 1.5: *Group Home and Foster Care Facilities.* The Town shall require that the needs of those residents requiring group home or foster care are met.

POLICY 1.5.1: The Town shall continue to allow the location of group homes and foster care facilities in residential areas. These facilities shall serve as alternatives to institutionalization.

POLICY 1.5.2: The Town shall encourage Orange County to continue to provide adequate sites for group and foster care facilities in the County and continue to cooperate with the Florida Department of Health, Florida Department of Children and Families, and Florida Department of Elder Affairs to aid in the integration of foster care facilities, foster homes, foster group homes, and other group housing as well as sites for the elderly into residential areas that offer services and facilities such as transit, recreational, educational and medical that needed by these persons as well as their attendants.

OBJECTIVE 1.6: *Archeological Sites and Historical Buildings.* The Town shall identify archaeological sites and buildings of historical significance and develop means of preserving and/or maintaining such items. Measurement shall be determined by implementing the following policies.

POLICY 1.6.1: The Town shall continue to assist the Historic Preservation Board in its efforts to provide public information, education and technical assistance relating to archaeological sites and historic preservation programs and to assist in preparation of any needed regulations.

POLICY 1.6.2: The Town shall encourage the extension of useful life of the existing housing stock, as well as improve and stabilize neighborhood quality.

POLICY 1.6.3: Historically significant structures, when identified, shall be protected and the owners encouraged in taking steps to preserve the property.

POLICY 1.6.4: The Town shall assist property owners of historically significant property in applying for and utilizing state and federal assistance programs

POLICY 1.6.5: The Town shall use the *Florida Master Site File* as a resource to identify archeological resources and historically significant structures.

OBJECTIVE 1.7: *Useful Life of Housing.* The useful life of housing shall be conserved and extended, improving the quality of the Town.

POLICY 1.7.1: Individual homeowners shall be encouraged to maintain and improve their properties.

POLICY 1.7.2: The Town shall continually review and amend the Town Ordinances and Regulations relating to care and maintenance of structures using newly developed methods.

POLICY 1.7.3: The Town shall continue to enforce regulations concerning demolition of structures.

OBJECTIVE 1.8: *Displaced Persons.* The Town shall require that persons displaced by actions of governmental agencies are provided fair and uniform treatment consistent with Florida Statutes.

POLICY 1.8.1: The Town shall ensure that requirements of State Statutes are met when property is taken, whether for relocation, or for other reasons.

POLICY 1.8.2: The availability of relocation housing shall be researched and verified by Town Staff prior to commencement of any governmental residential revitalization program enacted for the Town.

OBJECTIVE 1.9: *Improvement of Housing.* Improvement of the housing within the Town shall be encouraged.

POLICY 1.9.1: The Town shall investigate improvements in building and land development codes to identify and modify those regulations which unnecessarily inflate the cost of housing and which delays the permitting process.

- POLICY 1.9.2:** The Town shall be encouraged in examining the development and use of technological innovations in housing construction which provide safe and livable housing and at the same time provide reduced housing costs.
- POLICY 1.9.3:** The Town shall continue future land use policies which prevent the encroachment of commercial or industrial activity in established residential areas.
- POLICY 1.9.4:** The Town shall continue its close communication and coordination with the Ocoee Fire Department - to maintain and improve the efficiency of fire protection.
- POLICY 1.9.5:** The Town shall continue to require that new housing development or redevelopment projects comply with the Federal Americans with Disabilities Act and State of Florida requirements relating to accessibility by handicapped persons.
- POLICY 1.9.6:** The Town shall promote partnerships with private and non-profit organizations so that coordination can occur between all participants involved in housing production.
- POLICY 1.9.7:** The Town shall continue to enforce principles to guide conservation, rehabilitation and demolition program techniques and strategies.
- POLICY 1.9.8:** The conversion of residential properties to commercial uses along Main Street shall be discouraged to maintain the residential character of the downtown area.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 4

INFRASTRUCTURE ELEMENT

1. SANITARY SEWER GOALS, OBJECTIVES AND POLICIES

GOAL 1: When appropriate, the Town should provide sanitary sewer facilities to meet the needs of the residents of the Town.

OBJECTIVE 1.1: *Central Sanitary Facilities.* When appropriate, the Town should provide central sanitary facilities to meet the needs of the residents of the Town and measurement of the objective is by the implementation of the following policies.

POLICY 1.1.1: The Town Council shall annually, during the review of the Capital Improvement Budget, evaluate the need and feasibility for central sewer facilities. If such facilities are needed, the Town shall establish priorities to develop these facilities and comply with other County, State, and Federal regulations.

POLICY 1.1.2: The Town adopts the County level of service standards of 300 gallons per day per equivalent residential unit for sanitary sewer usage.

POLICY 1.1.3: The Town shall continue to require that developments and other residential or commercial users to tie-in to centralized waste water facilities within one year of their availability and that any new development shall be required to use such facility if available.

POLICY 1.1.4: The Town shall continue to preclude new development dependent on use of central water or sewer systems until such time that such facilities are available.

POLICY 1.1.5: In all studies required above, development of greywater systems shall be examined and required as applicable.

POLICY 1.1.6: The Town shall evaluate connection to the County's wastewater system as property in the Town center district develops or redevelops.

POLICY 1.1.7: The Town shall consider entering into discussions with Orange County on the future provision of a central wastewater system within Windermere.

OBJECTIVE 1.2: *Onsite Septic Systems.* The Town will implement mandatory requirements for inspection, operation and maintenance of onsite septic systems with measurability by implementing the following policies:

POLICY 1.2.1: The Town shall preclude the use of septic tank systems or other individual wastewater treatment systems in areas deemed environmentally unsuitable for their proper and continual functioning and which may have potential impacts to significant natural resources or in areas likely to be inundated by a 100-year flood event.

POLICY 1.2.2: Existing and newly authorized septic tank systems may remain in service until one year after a centralized system is available to the site, or as authorized by State law.

POLICY 1.2.3: The Town shall request the Orange County Health Department or other appropriate agency to develop guidelines for septic tank inspection and maintenance and upon receipt enact appropriate regulations. Private sector companies should be used for implementation whenever practical.

GOAL 2: Windermere's goal is to develop and maintain a *Water Supply Facilities Work Plan* and to coordinate with the South Florida Water Management District, and other local, regional, state, and federal agencies in the implementation of effective traditional and alternative water supply programs, including utilization of reclaimed water sources, and in the implementation of effective linkages between water resource management and growth management in the Town.

OBJECTIVE 2.1: *Water Supply Facilities Work Plan Maintenance.* Windermere shall maintain a *Water Supply Facilities Work Plan (Work Plan)* for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the jurisdiction of the Town.

POLICY 2.1.1: The *Work Plan* shall be consistent with the wastewater level-of-service (LOS) standards established in Policy 1.1.2 and potable water LOS standards established in Policy 5.1.2.

POLICY 2.1.2: The *Work Plan* shall identify feasible traditional and alternative water supply sources, including reclaimed water and reuse, which the Town may use to meet existing and projected water demands.

POLICY 2.1.3: The *Work Plan* shall be updated at least every 5 years, but no later than 18 months following adoption of the South Florida Water Management District Regional Water Supply Plan update. The *Work Plan* (Town of Windermere Water Supply Facilities Work Plan 2018) is herein adopted, by reference, as data, analysis and supporting documentation for the *Element*.

OBJECTIVE 2.2: *Sources of Water.* The Town of Windermere shall identify, investigate, and utilize any technically, environmentally and economically feasible sources of water and wastewater that may be used to satisfy existing and future water demands when updating or maintaining the *Work Plan*.

POLICY 2.2.1: In coordination with the South Florida Water Management District, and other local governments or private utilities, the Town of Windermere shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy and supplement future demands, without causing adverse impacts to water quality, wetlands, aquatic systems, or the environment. These sources may include treated wastewater and reclaimed water.

POLICY 2.2.2: The Town shall coordinate with the South Florida Water Management District, during updates to their *Regional Water Supply Plan*, to identify potentially feasible alternative water supply projects involving wastewater or reclaimed water sources within the Town.

OBJECTIVE 2.3: *Promote and Sustain Compatibility.* The Town of Windermere shall promote and sustain compatibility between the built and natural systems.

POLICY 2.3.1: The Town shall coordinate with the South Florida Water Management District, and other entities to assist with implementation of goals and provisions of the applicable *Regional Water Supply Plan*, and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments; to restrict activities that may result in the degradation or over-utilization of potable water and wastewater resources; and to assure adequate water supply for native ecosystems, agriculture, and domestic and industrial users.

POLICY 2.3.2: The Town will integrate growth management, land use and water resources planning to ensure the availability of water for Windermere residents and regional water management purposes.

GOAL 3: The Town shall ensure that all solid waste, including hazardous waste and all hazardous materials are properly managed.

OBJECTIVE 3.1: *Refuse Collection and Disposal Service.* The Town shall continue to ensure that the parties providing refuse collection and disposal services are properly licensed and provide proper and adequate services to all residents of the Town and that the citizens participate fully in the recycling program. This objective shall be measurable by implementing the following policies:

POLICY 3.1.1: The Town shall continue its mandatory service policy and maximize the recycling program - to reduce the volume of solid waste taken to the landfill.

POLICY 3.1.2: The Town has a level of service standard of 4.0 pounds/day/person of solid waste for residential and 2.0 pounds/day/person for commercial development.

- POLICY 3.1.3:** The Town shall annually review the needs to revise this portion of the *Element* and make necessary amendments to the *Plan*.
- POLICY 3.1.4:** The Town shall cooperate with the County, State and Federal Government in the collection and disposal of hazardous waste.
- POLICY 3.1.5:** The Town shall continue to enforce regulations to require the proper disposal of construction and demolition debris as established in the Town's Code of Ordinances.
- POLICY 3.1.6:** The Town shall continue to enforce its Code of Ordinances by requiring the proper disposal of items listed in Ch 403.708 F.S. such as: solid waste, lead acid batteries, used oil, yard trash and white goods (discarded or unusable refrigerators, freezers, water heaters, etc.)
- POLICY 3.1.7:** The Town shall require all dentists and doctors to comply with Ch. 381.80 F.S. concerning the storage and handling of biohazardous materials and waste and to provide the Town Police Chief and Ocoee Fire Chief a current copy of their required Contingency Plan.
- POLICY 3.1.8:** Town regulations shall prohibit the outdoor storage of waste tires, waste construction materials, nonfunctioning cars, and car parts within the Town and require the disposal of waste tires at a waste tire site or permitted solid waste management facility.
- POLICY 3.1.9:** Town regulations shall prohibit any Composting Facilities; however, individual households may compost in their rear yards as long as the practice does not present a nuisance to neighbors.
- POLICY 3.1.10:** The Town shall enforce ordinances intended to reduce littering and unauthorized dumping through its Code Enforcement.

GOAL 4: The Town shall ensure that drainage facilities are provided to meet the existing and projected demands of the residents.

OBJECTIVE 4.1: *Adequate Protection of Drainage Facilities.* The Town shall ensure that all drainage facilities provide adequate protection to the residents, to the Butler Chain of Lakes and to the water resources of the area. This objective shall be measurable by implementing the following policies:

POLICY 4.1.1: The minimum Level of Service Standard for drainage facilities shall provide 100-year 24-hour rainfall event protection and provide retention for water quality purpose consistent with new and innovative techniques.

POLICY 4.1.2: Cost/benefit studies shall be prepared by the Town as a technical supplement to any drainage *Capital Improvement Program* for items from this *Element*.

POLICY 4.1.2: The Town shall remain in the National Flood Insurance Program as required in *Housing Element*.

POLICY 4.1.3: The Town shall preclude any fill in the 100-year floodplain unless proper compensatory storage and mitigation can be provided.

OBJECTIVE 4.2: *Stormwater Facilities and Protection of Water Resources.* The Town shall ensure that any Stormwater drainage facilities improve and extend the capabilities of existing facilities so that water resources are protected and conserved.

POLICY 4.2.1: The Town shall annually examine the ability of the present drainage and stormwater management system to meet future requirements and to set priorities for any changes needed through the required concurrency report.

- POLICY 4.2.2:** The Town shall require that all new development or redevelopment must meet all South Florida Water Management District stormwater management regulations.
- POLICY 4.2.3:** The Town shall require all new construction or substantial reconstructed property to retain on site, the first inch of runoff.
- POLICY 4.2.4:** The Town shall preclude any storm runoff that has not been treated to preclude pollution of the Butler Chain of Lakes or Lake Bessie. Direct pollutant discharge shall not lower ambient (existing) water quality and indirect discharges will not significantly degrade the lakes.
- POLICY 4.2.5:** The Town shall minimize any conditions that would cause a rise in lake levels above the flood levels set by the Federal Government.
- POLICY 4.2.6:** Natural terrain or landscape barriers to flooding shall be preserved, when practicable during the land development process.
- POLICY 4.2.7:** As newer or better information is received from the County or Federal Government, the building elevations required shall be re-evaluated and the current regulations amended so as to protect new construction.
- POLICY 4.2.8:** Stormwater collected in any development or property must be disposed of in a manner that will not cause personal or property damage to upstream and/or downstream property owners and all applicable regulations must be amended if necessary.
- POLICY 4.2.9:** The Town shall cooperate with the South Florida Water Management District and other agencies in educating of the public about nonpoint source pollution and the value of stormwater programs.

POLICY 4.2.10: Not including the development of one (1) single-family dwelling unit, stormwater facilities must meet the standards in Ch 17-25 and Ch 17-302, FAC and must retain/detain an additional 50% of the run-off. Stormwater discharge facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, F.A.C.

POLICY 4.2.11: The Town shall work with Orange County to develop educational and enforcement programs regarding stormwater facilities and the protection of lakes to ensure the quality of the Butler Chain and other lakes in the area are protected.

GOAL 5: An adequate supply of safe potable water shall be provided and steps taken to improve and protect sources of potable water in the Windermere area.

OBJECTIVE 5.1: *Provision of Potable Water.* The Town shall assist in the provision of potable water to its residents and measurement of the objective shall be by implementation of the following policies.

POLICY 5.1.1: The Town shall cooperate with its residents and the State and Orange County authorities who regulate wells, water systems and septic systems to assist in the provision of an adequate supply of safe potable water to all residents at all times.

POLICY 5.1.2: The Town's Level of Service Standard as established by Orange County is 350 gallons per day per equivalent residential unit.

POLICY 5.1.3: The Town shall continue to cooperate with Orange County Utilities in any plans by them to extend or increase capacity of their potable water system within the Town and shall encourage its citizens to tie into the County system so as to preclude urban sprawl.

- POLICY 5.1.4:** In Fiscal Year 2019, the Town plans to develop a potable water master plan to evaluate the feasibility of extending potable water services throughout the Town.
- POLICY 5.1.5:** As required in the *Future Land Use Element*, the Town shall continue to enforce regulations requiring new development to be compatible with water resources.
- POLICY 5.1.6:** The implementation of action from this Sub-element must be closely coordinated with the other *Elements* of this *Comprehensive Plan* and priorities established for any needed changes.
- POLICY 5.1.7:** Windermere shall review and update the *Water Supply Facilities Work Plan (Work Plan)* within 18 months of the update to the Regional Water Supply Plans, which are required to be updated at least every five years, to identify system deficiencies and, if necessary, implement a plan for correction. The *Work Plan (Town of Windermere 2018 Water Supply Facilities Work Plan)* is herein adopted, by reference, as data, analysis and supporting documentation for the element.
- POLICY 5.1.8:** Capital Improvements Program, consistent with the *Work Plan*, shall be prepared annually in order to provide improvements and expansion to the existing water system to meet or exceed the adopted level of service.
- POLICY 5.1.9:** Windermere shall continue to participate in the regional water supply planning efforts of the South Florida Water Management District's *Upper Kissimmee Basin Water Supply Plan* effort to establish and implement the most efficient and cost-effective public water supply plans for the region through the year 2035, without creating significant adverse unacceptable impacts to natural systems.

OBJECTIVE 5.2: *Conservation of Potable Water Resources.* The Town shall enforce regulations to properly ensure the conservation of potable water resources.

POLICY 5.2.1: The standards established in the Town’s *Water Conservation Ordinance and Florida Building Code* regarding the use of low volume plumbing fixtures in all new and significantly renovated construction shall be enforced by the Town.

POLICY 5.2.2: The Town shall ensure that the guidelines and procedures established in the Town’s *Emergency Water Conservation Plan* are consistent with regulations of the South Florida Water Management District, at minimum, once a year.

POLICY 5.2.3: New developments which propose use of potable water for landscape irrigation shall use native vegetation or drought-resistant plants.

POLICY 5.2.4: The Town, when applicable, shall consider regulations that use the lowest quality water available for non-potable water use demands.

POLICY 5.2.5: The Town shall continue to work with Orange County Utilities and the South Florida Water Management District to encourage water conservation through a combined program of public education and plumbing and irrigation system retrofits and refinements.

POLICY 5.2.6: The Town shall continue to promote the following principles of Florida-Friendly landscaping to be used for new developments or for new houses in older portions of the Town:

- appropriate planning and design;
- use of soil amendments;
- efficient irrigation;
- practical turf areas;
- use of drought tolerant plants;
- use of mulches; and
- appropriate maintenance.

OBJECTIVE 5.3: *Protection of Potable Water Resources.* The Town shall enforce regulations to properly ensure the protection of potable water resources. Measurement of the objective shall be by implementation of the following policies.

POLICY 5.3.1: The Town shall enforce the requirements established in Policies 1.3.1 through 1.3.9 of the *Conservation Element* to provide proper protection to the water supply of the Town.

POLICY 5.3.2: The Town shall manage and control the disposal of non-hazardous wastes to prevent surface water and groundwater contamination.

POLICY 5.3.3: Small “package type” wastewater treatment plants and septic tanks shall not be allowed in areas where improper levels of treatment and/or inadequate effluent disposal may result in adverse impact on groundwater or surface water systems.

POLICY 5.3.4: The Town shall cooperate with Orange County and enact needed regulations to comply with F.A.C. 17.61 concerning new, existing or abandoned pollutant storage tanks.

OBJECTIVE 5.4: *Maximize Use of Existing Potable Water Facilities.* The Town of Windermere shall maximize the use of existing potable water facilities and available capacity through the implementation of appropriate technology and management strategies for enhancing water supply and reducing demand, including traditional and alternative water supply options, conservation and reuse.

POLICY 5.4.1: The shift to new technologies and operational procedures, including expanded conservation programs, water rate increases, system interconnections and alternative water supply options such as reclaimed water reuse and storage, shall occur as they become technically and economically feasible.

OBJECTIVE 5.5: *Innovative Water Conservation Techniques.* Windermere shall support the use of innovative water conservation techniques and strategies and will conserve water resources through coordination with the Orange County Utilities and South Florida Water Management District and implementation of County and other agency programs.

POLICY 5.5.1: The Town shall encourage the use of Florida-Friendly landscaping by reducing irrigation requirements as part of water conservation efforts.

GOAL 6: Windermere's goal is to maintain a *Water Supply Facilities Work Plan* and to coordinate with the Orange County Utilities, the South Florida Water Management District, and other local, regional, state and federal agencies, as well as all other municipal or private suppliers of potable water services, in the implementation of effective traditional and alternative water supply programs and linkages between water resource management and growth management within the Town.

OBJECTIVE 6.1: *Maintenance of Water Supply Plan.* Windermere shall maintain a *Water Supply Facilities Work Plan (Work Plan)* for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the jurisdiction of the Town.

POLICY 6.1.1: Windermere shall coordinate with the South Florida Water Management District and other entities to assist with implementation of goals and provisions of the Regional Water Supply Plans and other local/municipal water resource management and restoration programs, to evaluate the long-term needs of the natural and built environments, to restrict activities that may result in the degradation or over-utilization of potable water resources, and to assure adequate water supply for the competing needs of native ecosystems, agriculture, and domestic and industrial users.

POLICY 6.1.2: Windermere shall work with the South Florida Water Management District, during updates to the *Regional Water Supply Plan*, to identify potentially feasible alternative water supply projects.

OBJECTIVE 6.2: *Identifying Traditional and Alternative Water Supply Sources.* Windermere shall identify, investigate and utilize any technically, environmentally and economically feasible traditional or alternative sources of water that may be used to meet existing and future water demands when updating or maintaining the *Work Plan*.

POLICY 6.2.1: In conjunction or coordination with the Orange County Utilities, the South Florida Water Management District, and other local governments or private utilities, Windermere shall seek the development of water sources that will satisfy existing and future demands, without causing adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include, but are not limited to, fresh groundwater, reclaimed water, stormwater, brackish groundwater, surface water and seawater.

POLICY 6.2.2: Windermere will maximize the efficient use of existing potable water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, water conservation, potable water rate increases, non-potable water reuse, system interconnects, and storage.

POLICY 6.2.3: Windermere shall coordinate, cooperate and participate with utility providers in the region and the water management districts in the development and update of local and regional water supply plans and assessments.

GOAL 7: The protection of the natural groundwater aquifer recharge area shall be ensured in the Windermere area.

OBJECTIVE 7.1: *Groundwater Basin Resource.* The Town's Land Development Regulations shall include development requirements that will serve to protect the function of natural groundwater recharge areas and natural drainage features.

POLICY 7.1.1: Site plan review criteria shall be implemented that require new development to meet or exceed the water quality rules of the South Florida Water Management District.

POLICY 7.1.2: The Town shall cooperate with Orange County in the development of an aquifer protection program, including public education, coordination with appropriate agencies, and the provision of adequate collection and treatment facilities in order to limit the amount of contaminants reaching the surficial and Floridan aquifers.

POLICY 7.1.3: The Town will coordinate with the South Florida Water Management District to identify and protect vulnerable features within or adjacent to the Town which have the potential to discharge directly to the Floridan aquifer.

POLICY 7.1.4: The Town shall continue to restrict development from occurring within 300 feet in diameter of any public wells (Cone of Influence area). The Town shall also maintain a 600 feet in diameter wellhead protection area.

POLICY 7.1.5: The Town shall request that Orange County inspect septic systems (especially lakefront) on a regular basis for malfunctions.

GOAL 8: Windermere’s goal is to maintain a *Water Supply Facilities Work Plan (Work Plan)* and to coordinate with the South Florida Water Management District, Orange County Utilities and other local, regional, state and federal agencies in the implementation of effective traditional and alternative water supply programs, including aquifer recharge projects, and in the implementation of effective linkages between water resource management and growth management in the Town.

OBJECTIVE 8.1: *Maintenance of Work Plan.* Windermere shall maintain a Work Plan for at least a 10-year planning period addressing traditional and alternative water supply sources, facilities, and issues necessary to serve existing and future development within the Orange County Utilities service areas.

POLICY 8.1.1: The *Work Plan* shall be updated at least every 5 years, but no later than 18 months following adoption of the applicable Water Management Districts’ *Regional Water Supply Plan* updates. The *Work Plan (Town of Windermere Water Supply Facilities Work Plan 2018)* is herein adopted, by reference, as data, analysis and supporting documentation for the element.

OBJECTIVE 8.2: *Recharging the Aquifer and Offsetting Water Demand Effects.* Windermere shall identify, investigate and utilize any technically, environmentally and economically feasible sources of water and treated wastewater that may be used to recharge the aquifers to help offset the effects of existing and future water demands when updating or maintaining the Work Plan.

POLICY 8.2.1: In coordination with the South Florida Water Management District, Orange County Utilities and other local governments or private utilities, Windermere shall seek the development of efficient, cost-effective, and technically feasible water sources that will satisfy and supplement future demands, without causing adverse impacts to water quality, wetlands, aquatic systems or the environment. These sources may include augmentation of groundwater supplies via additional recharge.

POLICY 8.2.2: Windermere will seek to maximize the use of existing water and reclaimed water facilities through the implementation of management techniques that can enhance a source of supply, sustain water resources and related natural systems, and optimize water supply yield. Available techniques may include, but are not limited to, conservation, rate increases, reclaimed water reuse, system interconnections, storage and aquifer recharge.

POLICY 8.2.3: Windermere shall work with the South Florida Water Management District, during updates to their *Regional Water Supply Plan*, to identify potentially feasible alternative water supply projects involving aquifer recharge.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 5

CONSERVATION ELEMENT

CONSERVATION GOAL, OBJECTIVES AND POLICIES

GOAL 1: Conserve, protect, acquire, restore and appropriately use and manage the quality and quantity of all natural resources and hazardous waste, as well as cooperate with adjacent communities and Orange County and the State, to ensure that adequate natural resources are available for present and future generations at the highest environmental quality possible in accordance with national, state, regional and county standards.

NOTE: MEASUREMENT OF THE OBJECTIVES IN THIS *ELEMENT* SHALL BE MEASURABLE BY THE IMPLEMENTATION OF THE POLICIES CONTAINED WITHIN EACH OBJECTIVE.

OBJECTIVE 1.1: *Air Quality Standards.* The Town shall assist the County in meeting federal and state air quality standards by assisting in the identification of sources of pollution and controlling development.

POLICY 1.1.1: The Town shall require that the *Future Land Use Map* and *Future Land Use Element* policies continue to prohibit land uses that may contribute to air pollution.

POLICY 1.1.2: The Town shall cooperate with the County and State in monitoring air quality and the identification of sources of air pollution.

POLICY 1.1.3: The Town shall continue to reduce the potential for automobile emission pollution by:

1. Requiring vegetative buffers strips, walls and/or berms between roadways and new developments;
2. Establishing additional bikepaths/walkways - to promote the reduction in use of automobiles; and
3. Promote the Planned Unit Development type of land use, where feasible.

- POLICY 1.1.4:** The Town shall continue to prohibit new industries in the Town which might have adverse impacts on air quality.
- POLICY 1.1.5:** The Town shall discourage open burning due to its adverse impacts on air quality.
- POLICY 1.1.6:** The Town shall cooperate with Orange County and encourage the use of alternative energy resources that do not degrade air quality.
- POLICY 1.1.7:** The Town shall discourage the removal of trees along the Main Street/Maguire Road and Sixth Avenue/Conroy Windermere Road corridors.

OBJECTIVE 1.2: *Lake and Wellwater Quality.* The lakes shall be protected from any degradation with emphasis on the quantity and quality of lakes and wellwater.

- POLICY 1.2.1:** The Town shall continue to support actions by public and private agencies or groups to protect the water quality in the Butler Chain of Lakes (designated as Outstanding Florida Waters by the State).
- POLICY 1.2.2:** As specified in the Town's *Stormwater Drainage Ordinance*, lake front areas are required to preserve the intact natural communities which provides filtration of stormwater runoff within 50 feet of the water's edge with only a narrow path to the water.
- POLICY 1.2.3:** Developers and individuals shall minimize impervious surface coverage and roads – to preclude reducing the flow of good quality water to the recharge area and shall maximize the on-site retention of stormwater runoff.
- POLICY 1.2.4:** Landowners, developers and individual builders shall comply with State and County regulations concerning wells and septic tanks to include their closure or abandonment.

POLICY 1.2.5: The Town shall review and enact such changes in this *Comprehensive Plan* and other regulations upon receipt of the State *Groundwater Basin Resource Inventory* if needed.

POLICY 1.2.6: Point and non-point sources of water pollution shall be identified and programs established to reduce the harmful impacts of those sources on the natural environment.

POLICY 1.2.7: Stormwater retention/detention systems shall be designed in such a manner as to prevent the degradation of all surface water bodies and all road runoff shall be prevented from polluting the lakes.

POLICY 1.2.8: Strict enforcement on the proper installation of stormwater systems is required as well as the continual maintenance of such systems to include swales.

POLICY 1.2.9: The Town shall continue to ensure that:

- a) site plans for new development identify the location and extent of wetlands located on the property;
- b) site plans provide measures to assure that normal flows and quality of water will be provided to maintain wetlands after development; and,
- c) where alteration of wetlands is necessary in order to allow reasonable use of property, either the restoration of disturbed wetlands will be provided or additional wetlands will be created as a last resort to mitigate any wetland destruction. Lands designated “preservation” or “conservation” as a part of a development shall be identified as such in a legal agreement which ensures their protection and maintenance in perpetuity.

- POLICY 1.2.10:** Public facilities shall not be located within the 100-year flood plain or in a flood prone area unless the facilities are water related, such as boat ramps docks or surface water management structures or are not adversely affected by periodic flooding or standing water such as bridges and construction is clearly in the public interest.
- POLICY 1.2.11:** All ecological sensitive areas, as identified by the County, State, or Town, shall be maintained at an optimum quality (soils included).
- POLICY 1.2.12:** The Town shall continue to support the SFWMD's SWIM planning effort to assess the existing water quality and prepare a detailed water quality and environmental enhancement strategy for the Butler Chain of Lakes.
- POLICY 1.2.13:** Waterfront properties shall be required to install berm and swale systems so that storm runoff is slowed and traps pollutants before they reach the lake or canal.
- POLICY 1.2.14:** Properties with seawalls shall comply with Policy 1.2.11 and provide onsite stormwater retention at least one foot from the seawall so as to prevent direct discharge of impure runoff.
- POLICY 1.2.15:** Waterfront owners shall not permit yard clippings to reach a lake or canal so as to not lower water quality.
- POLICY 1.2.16:** The Town shall not permit the continued use of malfunctioning septic systems and take appropriate action through the Orange County Health Department and through the Town Code Enforcement Special Magistrate.
- POLICY 1.2.17:** The Town shall coordinate with Orange County regarding best management practices (BMPs) for the protection of surface and groundwater quality of the Lake Butler Chain of Lakes.

OBJECTIVE 1.3: *Conserving the Water Supply.* The Town shall continue to enforce regulations to conserve the water supply.

POLICY 1.3.1: The standards established in the Town’s *Water Conservation Ordinance* and the Florida Building Code regarding the use of low volume plumbing fixtures in all new and significantly renovated construction shall be enforced by the Town.

POLICY 1.3.2: The Town of Windermere shall coordinate and cooperate with the South Florida Water Management District in the enforcement of the provisions of their emergency water shortage plans, and in the implementation of the appropriate groundwater conservation and protection programs outlined in the Regional Water Supply Plans of the South Florida Water Management District.

POLICY 1.3.3: The Town shall continue to enforce the landscape irrigation conservation requirements identified in the *Potable Water Sub-element* of this *Comprehensive Plan*.

POLICY 1.3.4: The Town shall encourage the use of Florida Friendly landscaping by reducing irrigation requirements as part of water conservation efforts in all new development or redevelopment projects in Town.

POLICY 1.3.5: The Town shall continue to support the implementation of a water conservation promoting rate structure by their utility systems provider, Orange County Utilities (OUC).

POLICY 1.3.6: The Town shall continue to cooperate with Orange County and the South Florida Water Management District in water conservation education.

POLICY 1.3.7: Orange County shall use the water quality and quantity protection, preservation, and conservation measures as designated in the objectives and policies of the *Potable Water, Wastewater and Aquifer Recharge Elements*, to protect groundwater quality and quantity.

POLICY 1.3.8: Windermere's *Water Supply Facilities Work Plan (Work Plan)* shall assess existing and projected water sources and needs for at least a 10-year planning period and consider the *Regional Water Supply Plan* of the South Florida Water Management District. The *Work Plan* will also identify traditional and alternative water supply sources, including water conservation efforts, which the Town may use to reduce or satisfy existing and projected water demands.

POLICY 1.3.9: Windermere will continue to implement the water conservation efforts identified in the *Work Plan*. These efforts will include concentrating on outreach and education as well as irrigation system modifications and indoor plumbing retrofits.

OBJECTIVE 1.4: *Protection of Soils, Minerals, and Environmentally Sensitive Lands.* The Town shall require the conservation, appropriate use and proper protection of soils, minerals, environmentally sensitive lands and native vegetative communities.

POLICY 1.4.1: Mining shall not be permitted within the Town and discouraged in any neighboring area.

POLICY 1.4.2: Land to be annexed shall be inventoried for native vegetative communities, forests, wetlands, wildlife habitats, natural reservations and environmentally sensitive land and provisions made for their protection prior to annexation and during any subsequent site plan review. All existing natural reservations identified in the *Recreation and Open Space Element* shall be protected.

POLICY 1.4.3: The guidelines and standards established in the *Future Land Use Element* regarding the tree and landscape ordinances shall be enforced by the Town.

POLICY 1.4.4: The Town shall continue to ensure that the Land Development Code includes proper protection and conservation of the natural functions of existing soils and wildlife habitats and environmentally sensitive lands.

OBJECTIVE 1.5: *Endangered and Threatened Wildlife.* The Town shall continue to search for wildlife, wildlife habitats, fisheries, review its regulations and restrict activities known to adversely affect the survival of any endangered and threatened wildlife.

POLICY 1.5.1: The Town shall continue to ensure the protection of wildlife or wildlife habitats and fisheries through the Land Development Code and site plan review process.

POLICY 1.5.2: The Town shall maintain its status as a “Bird Sanctuary” as defined by the National Audubon Society.

POLICY 1.5.3: Stormwater detention ponds with permanently wet detention ponds shall be designed, operated and maintained so as to resemble a natural pond to the greatest extent practicable.

POLICY 1.5.4: The Town shall require that there will be no net loss of endangered species habitat as a result of land development decisions.

POLICY 1.5.5: The Town shall restrict the use of and introduction of exotic species, especially on or adjacent to lands or waters containing native habitats during the site plan review process.

OBJECTIVE 1.6: *Hazardous Waste.* Hazardous waste shall not be permitted to destroy or impair the quality of our natural resources and the Town shall ensure the proper management of hazardous waste which shall be made measurable by the following policies.

- POLICY 1.6.1:** The Town shall cooperate with the County, State and Federal Government in the collection and disposal of hazardous waste.
- POLICY 1.6.2:** The Town shall improve the monitoring of and disposal of hazardous waste by local businesses and others.
- POLICY 1.6.3:** The Town shall encourage its citizens to utilize Orange County collection facilities and “Amnesty Days”.
- POLICY 1.6.4:** The Town shall support the County’s and applicable Water Management District’s efforts to educate the public regarding the proper management of hazardous waste.
- POLICY 1.6.5:** Secondary containment vessels or systems shall be required in all tanks used for storage of hazardous material.
- POLICY 1.6.6:** Vehicles transporting hazardous materials will not be allowed on Town streets unless the material is properly contained/packaged.
- POLICY 1.6.7:** Septic tanks shall not be used by any new generator of hazardous/toxic waste. Current generators must dispose of any such wastes to a permitted County site.
- POLICY 1.6.8:** The hazardous waste requirements specified in the *Infrastructure Element* of this *Comprehensive Plan* shall be enforced.

OBJECTIVE 1.7: *Reducing Energy.* Enhances conservation and efficiency measures to reduce energy requirements shall be practiced.

- POLICY 1.7.1:** The Town shall conduct energy audits, monitor energy use and implement cost-effective energy conservation measures in all public buildings.

POLICY 1.7.2: The Town shall continue to reduce levels of all air-conditioning, heating and lighting systems during non-business hours and promote the use of energy saving features in all government buildings.

POLICY 1.7.3: The Town shall maintain local codes and ordinances that do not handicap implementation of energy efficient construction and operation.

OBJECTIVE 1.8: *Funding.* Adequate funding will be provided for the conservation and protection of natural resources as developed in this *Element* of the *Comprehensive Plan*.

POLICY 1.8.1: The Town shall explore and implement where feasible, various funding strategies including but not limited to user fees, impact fees, bond financing, etc., for the maintenance, improvement or acquisition of needed facilities.

OBJECTIVE 1.9: *Protection of Conservation, Floodplain, and Wetland Areas.* The Town shall protect identified conservation, floodplains and wetland areas by implementing the following policies.

POLICY 1.9.1: The Town shall coordinate with Federal, State and County agencies to identify and regulate wetland areas, floodplains, sensitive and conservation areas and unique native habitats within the Town.

POLICY 1.9.2: The conservation designation on the *Future Land Use Map* series shall serve as a conceptual indicator of conservation, wetland, floodplain and environmentally and ecological sensitive areas. The precise delineation of each area must be through specific studies and field determination.

POLICY 1.9.3: All ecological sensitive areas, as identified by the County, State, or Town, shall be maintained at an optimum quality.

- POLICY 1.9.4:** The Town shall continue to ensure that:
- a) site plans for new development identify the location and extent of wetlands located on the property:
 - b) site plans provide measures to assure that predevelopment flows and quality of water will be provided to maintain wetlands after development; and,
 - c) where alteration of wetlands is necessary in order to allow reasonable use of property it should be clearly in the public interest and there is no practical alternative which reduces or avoids impacts to wetlands. Mitigation shall only be a last resort action to be used only after other measures such as non-approval of a development, reconfiguring of the development to avoid sensitive areas, reduction of density, etc. have been considered and shown not to be feasible. There shall be no net loss of sensitive lands. Any mitigation shall avoid impact to ecologically valuable uplands.

POLICY 1.9.5: Newly created mitigated areas, preservation or conservation areas as a part of a development shall be identified in a legal agreement which ensures their protection and maintenance in perpetuity. These areas shall be depicted on the *Future Land Use Map* as Conservation lands.

POLICY 1.9.6: The Town shall ensure that future land uses that are incompatible with the protection and conservation of wetlands are directed away from wetlands.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 6

RECREATION AND OPEN SPACE

RECREATION GOALS, OBJECTIVES AND POLICIES

GOAL 1: Ensure maintenance and improvement of existing public parks, recreation facilities and open space areas to satisfy the health, safety, and welfare needs of the Town's citizens and their guests and enhance the total quality of life within the Town, in an efficient and appropriate manner.

OBJECTIVE 1.1: *Beaches, Parks, and Recreational Facilities.* The Town shall continue to require that all beaches, parks and recreation facilities are available to all residents and their guests with emphasis on accessibility and availability to the handicapped.

POLICY 1.1.1: All parks and recreational facilities shall be maintained at their existing level of access or improved, available and accessible to all residents and their guests.

POLICY 1.1.2: Barrier-free access shall be provided at all existing and new recreational facilities.

POLICY 1.1.3: Accessibility to recreational facilities shall be provided without the destruction of the unique character and quality of these areas.

POLICY 1.1.4: The Town shall clearly identify, designate and provide sign identification of all public recreational facilities.

POLICY 1.1.5: The Future Land Use designation of Recreation does not supersede (i) the Lake Bessie Consent Final Judgment, dated June 15, 2006, and recorded in the Public Records of Orange County, OR BK 08945 PG 3279, or (ii) the Lake Down Consent Final Judgment, dated March 23, 2006, recorded in the Public Records of Orange County, OR BK 08573 PG 1393. To the extent of conflicts or inconsistencies, the Consent Final Judgments prevail.

OBJECTIVE 1.2: *Cooperation with Public Agencies and Private Enterprise.* The Town shall cooperate with public agencies as well as private enterprise to fund quality improvements and enhancements to the existing public park and recreational facilities.

POLICY 1.2.1: The Town shall coordinate public and private efforts to provide and improve and enhance public recreational opportunities for the Town's residents through its Parks and Recreation Committee.

POLICY 1.2.2: The Town shall continue to work with and assist the Windermere Rotary Club and other private individuals and groups to assist in providing adequate funding for new facilities as well as maintenance and improvement of present park and recreational facilities.

POLICY 1.2.3: Adequate operating budgets shall be provided for all parks and recreational facilities.

POLICY 1.2.4: The Town shall actively solicit grants from public and private agencies, donations of money, facilities or services for improvement enhancement and maintenance of existing public recreational facilities.

POLICY 1.2.5: Adequate capital expenditures shall be provided for the improvement and expansion of existing public recreational facilities.

POLICY 1.2.6: The Town shall maintain incentives in the Land Development Regulations for developers to provide recreation facilities in their developments and recognize that private parks, open space and recreational areas within a development are an integral part of the recreational facilities provided to Town residents.

POLICY 1.2.7: The Town shall encourage the use of innovative site design and development techniques in order to maximize the provision of usable recreational facilities and open space areas at a minimum cost.

POLICY 1.2.8: The Town shall review recreational funding needs as part of the Town's annual budgetary process.

POLICY 1.2.9: Should additional parks be needed or acquired, emphasis shall be placed on developing activity-based facilities, but only at a size and scope consistent with surrounding areas.

OBJECTIVE 1.3: *Level of Service.* The Town shall continue to provide adequate recreational opportunities for all residents and their guests to meet the Level of Service Standards.

POLICY 1.3.1: The Town establishes the following peak Level of Service Standards as guidance to meet existing and future demands for parks and recreation facilities.

RECREATION LEVELS OF SERVICE

STANDARDS FACILITY LEVEL OF SERVICE

Neighborhood Park	1 per 5000 population
Park Acreage	2.5 acres per 1000 persons
Tennis Courts	1 per 1000 persons
Boat Ramp	1 per 4300 persons
Bicycle Paths (Miles)	1 per 1000 persons

POLICY 1.3.2: The use of land within the Town's boundaries for a facility described in paragraphs (a) and (b) is declared to be an inappropriate use of land, water, and other resources within the Town, contrary to the public interest and the interests of the Town and its citizens, and contrary to the safety, comfort, good order, convenience, and general welfare of the Town and its citizens. Therefore, development undertaken, and action taken by a governmental agency to approve a development order for

development to be undertaken, in connection with a facility described in paragraphs (a) and (b) is inconsistent with this *Comprehensive Plan*:

- a) the acquisition, establishment, construction, and/or operation of a park or recreational facility, whether for usual and customary activity-based park uses (such as picnicking, sports, camping, hiking, fishing, swimming, skiing, canoeing, kayaking, boat-launch facilities, boat-dock facilities, beach and shoreline access and activities, etc.) or other recreational uses, where the park or recreational facility is open to the public (regardless of whether the facility is publicly or privately owned or managed) and the facility is larger in scope and intensity than a neighborhood park;
- b) the conversion of a facility described in paragraph (a) from a private facility, not open to the public (regardless of whether the private facility is publicly or privately owned or managed), to a facility open to the public.

The land uses, land-use intensities, capacity, size, timing, and other aspects of development of a facility described in paragraph (a) or (b) are declared to be (i) incompatible with and contrary to the objectives, policies, land uses, and densities and intensities in this *Comprehensive Plan*, (ii) incompatible with and contrary to other criteria enumerated by the Town in this *Plan* and in its Land Development Regulations, and therefore (iii) inconsistent with this *Comprehensive Plan*.

POLICY 1.3.3: From time to time, the Town shall review and revise its regulations for newly annexed areas so as to address open space definitions, signage, landscaping, buffering, greenspace, and requirements for amounts needed.

POLICY 1.3.4: Conservation areas located within the Town may be so designated and use for active and/or passive recreational uses only where it can be demonstrated that such uses will not have any significant adverse transportation or environmental impact and are compatible with other surrounding land uses.

POLICY 1.3.5: Natural reservations, as well as open spaces, are hereby defined as any land or water surface that affords unobstructed physical movement and is relatively free of manmade structural mass, shall be provided for their aesthetic, health, environmental and economic benefits in any new development.

POLICY 1.3.6: Bikepaths as required and provided are discussed in the *Transportation Element*, Objective 1.6.

OBJECTIVE 1.4: *Safety of Public Parks and Recreation Facilities.* All public parks and recreation facilities shall be made safe and kept safe so that the number of accidents will be minimized.

POLICY 1.4.1: Strict safety rules and procedures shall be posted at each facility by appropriate signage.

POLICY 1.4.2: Proper lighting shall be provided or the facility shall be closed at sunset.

POLICY 1.4.3: Appropriate rails or fences shall be installed at each existing and/or planned public recreational facility.

POLICY 1.4.4: Children's play areas shall be at least 50 feet from streets, parking areas, and vehicular access points or shall be separated by a fence.

POLICY 1.4.5: Efficient maintenance activities shall be conducted in all recreational facilities so as to maintain them in an accident-free condition and to correct or improve existing deficiencies.

POLICY 1.4.6: Regular monitoring of each facility shall be maintained during open hours.

OBJECTIVE 1.5: *Passive Recreation and Conservation Uses.* Open spaces shall be acquired and maintained by the Town or private entities, so as to provide undeveloped land for passive recreation and/or conservation uses as well as to improve the attractiveness of the Town.

POLICY 1.5.1: Zoning regulations shall be reviewed from time to time to ensure that adequate buffer zones are required around parks, open spaces, recreation areas, and conservation areas so as to protect them from adverse effects of encroaching urbanization.

POLICY 1.5.2: Town regulations shall include specific open space definitions and standards.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

**CHAPTER 7
INTERGOVERNMENTAL
COORDINATION ELEMENT**

GOALS, OBJECTIVES AND POLICIES

GOAL 1: Establish processes within the Town government to coordinate efficiently and maximize effectiveness of all activities to preserve the quality of life by identifying and resolving incompatible activities, goals, objectives and policies of Windermere, adjacent towns, the County and other government agencies.

MEASUREMENT OF THE OBJECTIVES IN THIS *ELEMENT* SHALL BE MEASURABLE BY THE IMPLEMENTATION OF THE POLICIES FOR EACH OF THE OBJECTIVES WITHIN THE *ELEMENT*.

OBJECTIVE 1.1: *Coordination with Local Governments.* The Town shall coordinate its *Comprehensive Plan* with the plans of the School Board; Orange County, which provides some water to the Town; City of Ocoee, which provides fire protection, and other local governments requesting coordination.

POLICY 1.1.1: The Town shall continually coordinate planning activities involving *Elements* of the *Comprehensive Plan* with City of Ocoee, City of Winter Garden, Orange County and Orange County School Board.

POLICY 1.1.2: The Town will ensure that needed coordination is maintained with the following agencies: Orange County

- Orange County School Board/Public Schools
- City of Ocoee
- City of Winter Garden
- MetroPlan Orlando (Metropolitan Planning Organization)
- South Florida Water Management District

POLICY 1.1.3: The Town shall cooperate in the preparation of any needed or requested Interlocal agreements.

- POLICY 1.1.4:** The Town shall pursue – an Interlocal Agreement with Orange County to provide a Joint Planning area for the Town and County. The agreement shall discuss at minimum: a reserve area or future annexation boundary; the provision of public facilities; lake protection and water quality measures; and criteria pertaining to periodic amendments to the Interlocal Agreement to ensure that the Agreement is updated on a regular basis.
- POLICY 1.1.5:** The Town shall consider entering into an Interlocal Agreement with Ocoee, Winter Garden, and Oakland – for the purpose of improved intergovernmental cooperation and coordination with respect to planning throughout the western Orange County area as determined by the respective municipalities areas of concern.
- POLICY 1.1.6:** Communicate and coordinate with adjacent home owners, nearby neighborhoods and others within any future joint planning area to resolve any annexation issues.
- POLICY 1.1.7:** The Town of Windermere’s *Water Supply Facilities Work Plan (Work Plan)*, shall assess existing and projected water sources and needs for at least a 10-year planning period and consider the *Regional Water Supply Plan* of the South Florida Water Management Districts. The *Work Plan* shall identify traditional and alternative water supply sources that the County may use to meet existing and projected water demands. The alternative water supply projects in the *Work Plan* will be selected from the applicable District’s Regional Water Supply Plans or otherwise proposed by the Town.
- POLICY 1.1.8:** Windermere shall coordinate with the South Florida Water Management District during updates to their *Regional Water Supply Plan*, to identify potentially feasible alternative water supply projects in Windermere. Within 18 months following the approval of the South Florida Water Management District’s *Upper Kissimmee Basin (CFWI) Water Supply Plan Update*, the Town shall complete updates of the appropriate elements and adopt related plan amendments in order to address all of the 10-year water facilities supply work plan components of Chapter 163, F.S. The Town shall update its *Water Supply Facilities Work Plan* every five years, within 18 months of the adoption of the South Florida Water Management District *Regional Water Supply Plan*.

OBJECTIVE 1.2: *Impacts of Development.* The Town shall continue to study all proposed development within the Town, for impacts to development in City of Ocoee and Orange County, and establish mechanisms to coordinate discussions between parties.

POLICY 1.2.1: Any conflicts with other governments or agencies which cannot be resolved using person to person Intergovernmental Cooperation shall utilize Chapter 164, Florida Statutes as applicable.

POLICY 1.2.2: The Town shall use Intergovernmental Coordination channels to provide needed services and information to the County, School Board, City of Ocoee and other entities and to ensure timely, efficient, cost-effective and environmentally sound public facilities and services in the Town.

POLICY 1.2.3: As information on proposed developments in the area becomes available, the Town shall review the relationship of such developments with the comprehensive plans of Orange County and City of Ocoee and make such necessary communication about the new development to the County or City of Ocoee.

POLICY 1.2.4: The Town shall, prior to approving any new development, study the relationship of that development with those proposed by Orange County or City of Ocoee to determine if such development would impact others and report to them any possible impact for further coordination.

POLICY 1.2.5: The Town shall coordinate with Orange County on siting of facilities with countywide significance, including locally unwanted land uses, through ad hoc technical committees, Interlocal agreements or joint planning agreements.

OBJECTIVE 1.3: *Adequate Public School Facilities.* The Town shall coordinate its *Comprehensive Plan* with the Orange County School Board, Orange County and other agencies so as to ensure proper planning for and provision of adequate public school facilities in the County.

- POLICY 1.3.1:** The Town shall coordinate with the School Board and Windermere Elementary School on emergency preparedness issues.
- POLICY 1.3.2:** The Town shall provide the School Board for comment, any comprehensive plan amendment annexing land outside the current Town boundaries.
- POLICY 1.3.3:** The Town shall support and encourage the involvement of businesses, community organizations, families and other volunteers in a range of programs in support of public school facilities and programs.
- POLICY 1.3.4:** The Town will coordinate with Orange County in developing population projections for the purpose of decision making and for planning future public facility needs.

OBJECTIVE 1.4: *Sufficient School Capacity.* The Town shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools.

- POLICY 1.4.1:** The Town shall designate a representative to serve on the OCPS Technical Planning Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools.
- POLICY 1.4.2:** The Town shall provide projected development data to OCPS on a regular basis to assist in development of a long-range planning model to project student enrollment.
- POLICY 1.4.3:** As a member of the OCPS Technical Planning Committee, the Town shall review OCPS model projections for consistency with the Town's projections and, if necessary, shall recommend additions or modifications to the model results.

POLICY 1.4.4: The Town shall comply with the Amended Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency adopted in 2011.

OBJECTIVE 1.5: *Countywide Significant Facilities.* The Town shall coordinate with Orange County regarding the siting of facilities with countywide significance, including locally unwanted land uses.

POLICY 1.5.1: Facilities of countywide significance include but are not limited to: hospitals, major school facilities, and governmental complexes. Locally unwanted land uses include but are not limited to: uses that produce enough traffic, noise, smoke, odor, dust, fumes or vibrations to have an effect on the health and general welfare of the citizens of Windermere.

POLICY 1.5.2: The Town shall meet annually or more frequently if needed with Orange County to identify facilities of countywide significance, including locally unwanted land uses, and to discuss the planning of these facilities. The coordination shall identify the best available data and analysis regarding these facilities and land uses and provide recommendations, if appropriate, regarding the siting of the facilities and land uses.

POLICY 1.5.3: The Town shall provide Orange County notice and opportunity to comment on the siting of facilities of countywide significance, including locally unwanted land uses. The Town shall provide an opportunity for the comments to be addressed in the siting process.

OBJECTIVE 1.6: *Population Projections.* The Town shall coordinate population projections with Orange County, Orange County School Board, METROPLAN Orlando Metropolitan Planning Organization, and other units of local government providing public facilities and services but not having regulatory authority over the use of land.

POLICY 1.6.1: The Town shall meet annually or more frequently if needed with the Orange County Planning Department to discuss and develop countywide population projections that include expected growth shown in the Town's *Comprehensive Plan*. The Town will review the draft population projections and consider using them in the Town's *Comprehensive Plan* to foster the joint utilization of consistent and coordinated population projections between the Town and County.

POLICY 1.6.2: The Town shall meet annually or more frequently if needed with the Orange County School Board to discuss population projections used in the Town's *Comprehensive Plan* in order to allow the School Board to consider Town growth and development projections and the Town to consider School Board enrollment projections. The population projections shall address but not be limited to the location, timing and amount of school students.

POLICY 1.6.3: The Town shall meet annually or more frequently if needed with the METROPLAN Orlando Metropolitan Planning Organization to discuss population projections and consider expected growth shown in the Town's *Comprehensive Plan*.

POLICY 1.6.4: The Town shall meet annually or more frequently if needed with other units of local government providing public facilities and services but not having regulatory authority over the use of land, to discuss population projections used in the Town's *Comprehensive Plan*.

OBJECTIVE 1.7: *Orange County School Board Coordination.* The Town shall coordinate with the Orange County School Board for collaborative planning purposes, including public school concurrency procedures.

POLICY 1.7.1: Review annually the interlocal agreement with the School District of Orange County to ensure inclusion of

- coordination of *Public School Facilities Element*;
- review of population projection figures;
- corroboration on public school facilities siting;
- infrastructure and safety needs of schools;
- adoption of level of service standards;
- creation of a public-school capital facilities program; and
- definition of the geographic application of school concurrency; the use of schools by the public, including use as emergency shelters; and for outlining public school concurrency requirements for future development.

POLICY 1.7.2: The Town shall coordinate with the School District of Orange County to identify deficient Levels of Services for public school facilities, and to mitigate for those deficiencies through the development process when applicable.

POLICY 1.7.3: The Town shall participate in regularly scheduled joint meetings with all participants identified in the Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency.

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 8

CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENTS GOALS, OBJECTIVES AND POLICIES

GOAL1: The Town shall undertake innovative actions necessary to adequately provide, through the use of sound fiscal policies, needed public facilities for all residents in a manner which protects investments in existing facilities, maximizes the use of existing facilities and promotes orderly compact growth consistent with the *Future Land Use Map* while retaining the quality of life in the Town.

MEASUREMENT OF THE OBJECTIVES IN THIS *ELEMENT* SHALL BE MEASURABLE BY THE IMPLEMENTATION OF THE POLICIES IN EACH OBJECTIVE OF THE *ELEMENT*.

OBJECTIVE 1.1: *Implementation of Comprehensive Plan.* The Town shall require that the *Comprehensive Plan* is implemented in a timely manner, is updated as conditions within the area change or at a minimum reviewed yearly and in a manner that all interested residents are given ample opportunity to participate in the planning process.

POLICY 1.1.1: The Town Council will review the effectiveness of its *Capital Improvement Program* and annual budgeting program in accordance with the Monitoring and Evaluation Procedures that follow and make such changes in these programs that are appropriate.

MONITORING AND EVALUATION PROCEDURES

The role of monitoring and evaluation is vital to the effectiveness of any planning program and particularly for the *Capital Improvements Element*. This is largely because the Town's revenue and expenditure streams are subject to fluctuations in the market and economy. It is the behavior of these streams which will be used to predict fiscal trends in order to maintain the Town's adopted level of service standards for public facilities. Therefore, the *Capital Improvements Element* requires a continuous program for monitoring and evaluation, and pursuant to Chapter

163, F.S., this *Element* shall be reviewed on an annual basis to ensure that required fiscal resources are available to provide public facilities needed to support adopted LOS standards.

The annual review at a public hearing shall be the responsibility of the Town Council. The Town Manager and the Town Planner shall serve as advisory members at all formal deliberations related to capital improvement monitoring and evaluation. The Council shall direct staff to take action deemed appropriate.

The review shall include the following considerations, and will include an examination of these considerations in order to determine their continued appropriateness:

- 1) any corrections, updates, and modifications concerning costs; revenues sources; acceptance of facilities pursuant to dedications which are consistent with the *Element*; or the date of construction of any *Element*; or the date of construction of any facility enumerated in the *Element*;
- 2) the *Capital Improvement Element's* consistency with the other *Elements* and its support of the *Future Land Use Element*;
- 3) the Town's ability to provide public facilities and services;
- 4) the priority assignment of existing public facility deficiencies;
- 5) the Town's progress in meeting those needs determined to be existing deficiencies;
- 6) the criteria used to evaluate capital improvement projects in order to ensure that projects are being ranked in their appropriate order of priority;
- 7) the Town's effectiveness in maintaining the adopted LOS standards;
- 8) the Town's effectiveness in reviewing the impacts of plans and programs of the County that provide public facilities within the Town's jurisdiction;
- 9) the effectiveness of mandatory dedications or fees in lieu of, for assisting new development a pro rata share of the improvement costs which they generate;

- 10) the cost effectiveness of imposing impact fees and if imposed, the effectiveness of such impact fees;
- 11) the ratio of outstanding indebtedness to the property tax base;
- 12) efforts made to secure grants or private funds, whenever available, to finance the provision of capital improvements;
- 13) the transfer of any unexpended account balances;
- 14) the criteria used to evaluate proposed plan amendments and requests for new development or redevelopment;
- 15) capital improvements needed for the latter part of the planning period, for inclusion in the *5-Year Schedule of Improvements*;
- 16) the adherence to its capital improvement schedule
;
- 17) the ability to ascertain at any given time the existing infrastructure capacity;
- 18) needed changes to this monitoring and evaluation procedures.

POLICY 1.1.2: The Town shall continue to improve efficiency and economy in the areas of records-management, information management and competitive bid contracting.

OBJECTIVE 1.2: *Concurrency Management System.* Insurance of development orders and permits by the Town shall be controlled by the Town's Concurrency Management System, which requires that facilities and services which do not reduce the adopted level of service standards are in place, shall be in place or are guaranteed by a binding contract or agreement to be provided prior to the impact of the development.

POLICY 1.2.1: The Town's Concurrency Management System shall provide the following:

- a. the capital improvements budget and a five-year schedule of capital improvements which, in addition to meeting all of the other statutory and rule requirements, must be financially feasible and are adopted annually in the budget process ;
- b. the *Five-year Schedule of Improvements* which includes both necessary facilities to maintain the established level of service standards to serve the new development proposed to be permitted and the necessary facilities required to eliminate that portion of existing deficiencies which are a priority to be eliminated during the five-year period under the Town's *Schedule of Capital Improvements* -;
- c. a realistic, financially feasible funding system based on currently available revenue sources which is adequate to fund the public facilities required to serve the development authorized by the development order and development permit and which public facilities are included in the *Five- year Schedule of Capital Improvements*;
- d. the *Five-year Schedule of Capital Improvements* must include the estimated date of commencement of actual construction and the estimated project completion date and which areas will be provided with public funds in accordance with the *5-year Capital Improvement Schedule*;
- e. a provision that a plan amendment shall be required to eliminate, defer or delay construction of any facility or service which is needed to maintain the adopted level of service standard and which is listed in the *5-year Schedule of Improvements*;
- f. a requirement that development orders and permits are issued in a manner that will guarantee that the necessary public facilities and services will be available to accommodate the impact of that development;

- g. a provision that the Town, on an annual basis, shall determine whether it is adhering to the adopted level of service standards and its *5-year Schedule of Capital Improvements* and that the Town has a demonstrated capability of monitoring the availability of public facilities and services; and
- h. development guidelines for interpreting and applying level of service standards to applications for development orders and permits and determining when the test for concurrency must be met. At a minimum, the latest point in the application process for the determination of concurrency is prior to the approval of a development order or permit which contains a specific plan for development and which would authorize the commencement of construction of physical activity on the land. Development orders and permits approved prior to the actual authorization for the commencement of construction or physical activity will be contingent upon the availability of public facilities and services necessary to serve the proposed development.

POLICY 1.2.2: The Town's *Concurrency Management System* shall provide that public facilities and services needed to support development are available concurrent with the impacts of such development by meeting the following standards prior to issuance to permit.

- a. For potable water, sewer, solid waste, and drainage, at a minimum, the following standards will satisfy the concurrency requirement:
 - (1) the necessary facilities and services are in place at the time a development permit is issued; or
 - (2) a development permit is issued subject to the condition that the necessary facilities and services will be in the place when the impacts of the development occur; or
 - (3) the necessary facilities are under construction at the time a development permit is issued; or

- (4) the necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. The agreement must guarantee that the necessary facilities and services will be in place when the impact of development occur; or
 - (5) the necessary facilities and services are in place no later than the issuance of a certificate of occupancy as required by Chapter 163.3180 F.S.
- b. In determining the availability of services or facilities, a developer may propose and the Town Council by a majority of the votes of its total membership may approve developments in stages or phases so that facilities and services needed for each phase shall be available.
- c. Developers shall assess their needs for essential services (electricity, gas etc.) and seek confirmation of future availability from appropriate utility suppliers. Confirmation should be provided to the Town by the utility during the planning stages of development, but no later than prior to the issuance of a development order.
- d. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of development.

POLICY 1.2.3: Should the Town prepare projected revenue sources, that include the Town's intent to increase the amount of a revenue source which is contingent on ratification by a public referendum, for the sole purpose of determining the financial feasibility of the *Capital Improvements Element*, this *Plan* must be amended to include policies which identify alternatives and actions to be undertaken should the referendum fail. Such an amendment should identify alternative funding sources or other proper actions.

POLICY 1.2.4: Local fiscal policies shall direct expenditures for capital improvements in a manner that policies in other *Elements* of the *Plan* are recognized.

POLICY 1.2.5: The Town shall allow approved development that does not meet concurrency to occur if the Town has failed to implement the requirements of this *CIE* and the developer makes a binding commitment to pay the proportionate fair share of the cost for facilities and services associated with the development.

OBJECTIVE 1.3: *Coordinate Land Use Decisions.* The Town shall coordinate land use decisions with its financial capability - to meet level of service standards and provide capital improvements while managing a realistic, financially feasible funding system to correct existing deficiencies, to accommodate desired future growth consistent with the *Future Land Use Map*, and to replace worn out or obsolete facilities, as indicated in the *5-year Schedule of Improvements* of this *Element*.

POLICY 1.3.1: The Town shall use stable revenue sources, fiscally sound and cost-effective financing programs so as to retain financial self-sufficiency while providing necessary facilities and their upkeep.

POLICY 1.3.2: The Town Council shall, in a fiscally sound manner, establish the millage rate each year within limitation of Florida Statutes, to provide needed funding for all required expenditures.

POLICY 1.3.3: The Town shall continue to make efforts to secure grants or private funds whenever available to finance all or part of capital improvement projects.

- POLICY 1.3.4:** Debt management practices shall insure that:
- a. revenue bonds, as a percent of total debt, shall not exceed 50 percent;
 - b. the maximum ratio of total debt to total revenue shall not exceed 15 percent; and
 - c. the maximum ratio of outstanding debt to the property tax base shall not exceed 15 percent.

POLICY 1.3.5: The Town shall include all projects necessary to maintain established levels of service standards to serve new developments and to eliminate that portion of existing deficiencies which are a priority to be eliminated during the five year period of the Town's planned schedule of improvements which are identified in any *Element* of this *Plan* and determined to be of relative large scale and high cost (\$25,000.00 or greater), as capital improvement projects (and include in any listing thereof, their estimated project completion date) within the 5-year *Schedule of Improvements* of this *Element* -.

POLICY 1.3.6: During the annual review of the Town's *Capital Improvements Program*, all proposed capital improvement projects, including the replacement and/or renewal of capital facilities and equipment, shall be evaluated and ranked in order of priority according to the following guidelines.

- a. Is the project needed to protect public health and safety? Does it fulfill the Town's legal commitment to provide facilities and services? Does it preserve or achieve full use of existing facilities, or does it correct an existing deficiency?
- b. Does the project increase the efficiency of existing facilities, prevent or reduce future improvement costs, provide service to developed areas lacking service or promote in fill development and efficient use been made in energy conservation?
- c. Should the facility be upgraded or replaced?

- d. Does the improvement represent a logical extension of existing facilities and/or services within the Town?
- e. What is the impact of the proposed project upon the local budget?
- f. Is the project financially feasible?
- g. What is the effect on plans of the State or County within the Town?

POLICY 1.3.7: The Town shall prohibit public facilities and services intended to serve future development needs that are inconsistent with the Town's *Comprehensive Plan*, unless the *Comprehensive Plan* is amended by the Town.

POLICY 1.3.8: The Town shall review the public facility and service recommendations of its *5-year Schedule of Capital Improvements* and other *Elements* of this *Plan* with every future land use plan amendment, in order to assure proper coordination and compatibility between public facilities and changing land use patterns as well as any redevelopment demands.

POLICY 1.3.9: The *Capital Improvement Program* shall be coordinated with the County and other agencies through the intergovernmental coordination procedures outlined in this *Element*.

POLICY 1.3.10: Windermere shall identify, include and maintain, in its annual 5-year Capital Improvements Budget update, a listing, description and budget cost for water related projects and improvements outlined for the first 5 years of the *Water Supply Facilities Work Plan* to ensure consistency between the Potable Water Element and the *Capital Improvements Element*.

POLICY 1.3.11: The Town shall amend the *CIE* of this *Comprehensive Plan* each year to include the updated *Capital Improvements Program*.

POLICY 1.3.12: The Town shall coordinate the *Capital Improvements Program* and the Town's *Water Supply Plan* with the South Florida Water Management District's *Water Supply Plan* to ensure consistency as required by Chapter 163.3177(4)(a), F.S.

POLICY 1.3.13: The Town shall ensure that this *Plan* as revised by a *Future Land Use Map* amendment is financially feasible if such amendment is supported by the following:

- (1) a condition in the binding agreement that addresses proportionate fair-share mitigation, or
- (2) a binding agreement addressing proportionate fair-share mitigation.

OBJECTIVE 1.4: *Level of Service.* Level of Service Standards established within the Comprehensive Plan shall be maintained as a minimum.

POLICY 1.4.1: The Level of Service Standards outlined below have been adopted within the various *Elements* of this Plan and such facilities as are needed to meet these minimum levels of service standards shall be available concurrently with the impact of any new developments as outlined in this *Element*.

Potable Water Level of Service Standard

The Town Level of Service Standard as established by Orange County is 350 gallons per day per equivalent residential unit.

Sewer Level of Service Standards

The Town does not have a central sanitary sewer system. However, the Town adopts the County's level of service standard of 300 gallons per day per equivalent residential unit for sanitary sewer usage.

Solid Waste Level of Service Standard

The Town does not have a solid waste facility. However, the Town adopts the level of service standard of 4.0 pounds/day/person for residential and 2.0 pounds/day/person for commercial activities with respect to solid waste.

Drainage Level of Service Standard

The minimum level of service standard for drainage facilities shall provide the 100-year 24-hour rainfall event protection and provide retention for water quality consistent with the new and innovative techniques.

OBJECTIVE 1.5: *Proportionate Share of Costs.* All future developments shall bear a proportionate share of the cost of facility improvements necessitated by the development in order to maintain adopted level of services standards.

POLICY 1.5.1: The Town shall require developers to provide internal roads, internal stormwater drainage systems and their pro rata share of other needed facilities - to maintain the previously stated level of service standards. Plat approval shall only be authorized if needed fees are paid or mandatory dedication is completed.

POLICY 1.5.2: The Town shall require analysis of all new public facilities to determine the allocation of costs amongst the State, County, other local governments, the Town and the private sector and through intergovernmental coordination assist in establishing such intergovernmental and developer agreements that are needed prior to approval of such facilities.

POLICY 1.5.3: The Town shall rely on private contributions to fund capital improvements listed on the *Five-year Capital Improvements Program* only when a private, external entity's obligation to pay is addressed in an enforceable development agreement or development order. When the *Five-year CIP* lists the cost of a capital improvement as funded by private contribution, it shall not be the responsibility of the Town to fund the improvement. Should any private party or developer fail to successfully complete the construction of a given capital improvement listed in the *Five-year CIP*, then a Comprehensive Plan amendment is required to delete said improvement from the *Five-year CIP*.

GOAL 2: To work with Orange County Public Schools (OCPS) to develop a financially feasible five-year distinct capital outlay plan, and consistent *Public Facilities Element* and *Capital Improvements Element* consistent with state of Florida concurrency statutes and regulations.

OBJECTIVE 2.1: Coordination with Orange County Public Schools. Prior to June 1 of each year, OCPS shall coordinate with the Town to develop a financially feasible five-year and if necessary a *Ten-Year District Capital Outlay Plan (DCOP)* for review and approval by the OCPS Board and adoption into the *Capital Improvements Element* for the Town of Windermere.

POLICY 2.1.1: The Town shall review the updated annual *Ten-Year DCOP* to determine if the projected capacity, projected enrollment, and LOS for each school and Concurrency Service Area (CSA) within the Town's jurisdiction is consistent with its growth projections.

POLICY 2.1.2: The Town shall review and update the OCPS adopted CSAs, adopted Level of Service and enrollment projections in the annual update of the *CIE* to ensure that the *CIE* continues to be financially feasible and that the LOS will be achieved.

POLICY 2.1.3: The *Ten-Year DCOP* shall include all planned capital projects, which increase the capacity of public schools within the Town.

POLICY 2.1.4: The Town shall include the *Ten-Year DCOP* in the annual update of the *CIE*.

POLICY 2.1.5: OCPS will review the need with the Town to adopt the OCPS *Ten-Year Financially Feasible DCOP* in order to achieve the adopted LOS in all CSAs within the County. When necessary, the Town shall include the *Ten-Year DCOP* in the annual update of the *CIE*.

POLICY 2.1.6: The Town hereby incorporates by reference the Orange County Public Schools *10-Year Capital Outlay Plan* for 2018-2027 adopted by the Orange School Board on September 12, 2017 that includes school capacity sufficient to meet anticipated student demands projected by OCPS.

POLICY 2.1.7: The Town adopts the 2018-2027 Fiscal Years Capital Appropriations Projections, 10-Year Capital Outlay Plan for Additional Schools, and 2018-2027 Fiscal Years Capital Revenues Projections tables in the OCPS *Plan* adopted in Policy 2.1.6 as the 10-year long-term schedule of capital improvements for the purposes of correcting existing deficiencies and setting priorities for addressing backlogged facilities within the designated CSAs.

OBJECTIVE 2.2: Adopted LOS for Public schools. The Town shall ensure that future needs are addressed consistent with the adopted level of service standards for public schools.

POLICY 2.2.1: In accordance with F.S. 163.3180 (9)(a), the Town hereby adopts a long-term school concurrency management system with the ten-year planning period of 2018/2019-2027/2028 for areas where a significant backlog exists.

POLICY 2.2.2: Consistent with section 15 of the Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency as amended and restated March 11, 2011, the LOS standards shall be applied consistently by all the local governments within Orange County and by the School Board to all schools of the same type. During the period covered by the *10-Year Schedule of Capital Improvements* the backlogged CSA will be improved to the districtwide LOS standard. The level of service standards are initially set as follows:

School Type	Adopted LOS
Elementary	110% of Adjusted FISH Capacity
	According to Orange County 2016/2017 CSA data, there are no backlogged elementary school CSAs serving the Town of Windermere. The CSA containing Windermere Elementary School (KK) is utilized at 90%, which is below the LOS of 110%.
Middle	100% of Adjusted FISH Capacity
	According to Orange County 2016/2017 CSA data, the following middle school CSAs serving the Town of Windermere are designated as backlogged facilities: Bridgewater MS (155%), Chain of Lakes MS (117%), and Gotha MS (160%) Bridgewater MS is to be relieved by #37-M-W-4 in 2019 and by #65-M-W-4 in 2022.
	The utilization of these CSAs must achieve a LOS of 100% by Year 2027/2028.
High	100% of Adjusted FISH Capacity
	According to Orange County 2016/2017 CSA data, there are no backlogged high school CSAs serving the Town of Windermere. Olympia HS is utilized at 99%, which is below the LOS of 100% and Windermere HS is a new facility opened in 2017.

Notes: Capacity based on the FISH database, October 2016, Florida Department of Education (FDOE); Enrollment based on the October 17, 2016 Enrollment Summary (Department of Student Enrollment, OCPS)

**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 9

PUBLIC SCHOOLS ELEMENT

PUBLIC SCHOOL FACILITIES GOALS, OBJECTIVES AND POLICIES

GOAL 1: IMPLEMENT A COUNTY WIDE SCHOOL CONCURRENCY PROGRAM.

The Town of Windermere shall establish plans, regulations and programs, in conjunction with Orange County Public Schools (OCPS) to facilitate the future availability of public school facilities to serve residents, consistent with the adopted level of service for public schools and with state of Florida concurrency statutes and regulations.

OBJECTIVE 1.1: *Level of Service Standards.* The Town of Windermere shall coordinate with OCPS to implement a Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period.

POLICY 1.1.1: The Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service (LOS) Standards provided in the interlocal agreement between OCPS and the Town and the adopted Capital Improvements Element. The adopted LOS shall be used to determine the available capacity of Elementary, Middle and High Schools within the designated Concurrency Service Area (CSA) where the development is proposed. The adopted LOS must be achieved in all CSAs by the end of the five-year planning period, except for deficient CSAs, where improvements needed to achieve adequate classroom capacity are specifically identified in the OCPS Ten-year District Capital Outlay Plan (DCOP) for funding by the end of the ten-year planning period.

POLICY 1.1.2: The Town shall utilize the OCPS calculation of school capacity, which is determined annually by OCPS using the Adjusted FISH Capacity for each school and CSA within the school district. Consistent with the Interlocal Agreement, the number of students who can be served in a permanent public school facility as provided in Florida Inventory of School Houses (FISH) adjusted to account for design capacity of Modular or In-Slot Classrooms on the campuses designed as Modular or In-Slot schools, but not to exceed Core Capacity.

POLICY 1.1.3: The LOS standards, except for backlogged facilities as provided in Capital Improvements Element (CIE) Policy 2.2.1, to implement school concurrency shall be calculated as a percentage of the Adjusted FISH Capacity as follows:

- (a) Elementary: 110% of Adjusted FISH Capacity for each Elementary School CSA
- (b) Middle: 100% of Adjusted FISH Capacity for each Middle School CSA
- (c) High, including ninth grade centers: 100% of Adjusted FISH Capacity for each High School CSA

POLICY 1.1.4: Any change or modifications to the adopted LOS shall follow the process and guidelines as outlined in Section 15 of the Interlocal Agreement.

POLICY 1.1.5: The Town shall support OCPS efforts to initiate any of the following strategies to ensure compliance with adopted LOS standard.

- a) Building new schools to relieve over-capacity schools in CSAs that exceed the adopted LOS,
- b) Renovating over-capacity schools to add permanent capacity and replace on-campus portables,
- c) Rezoning students from over-capacity schools to under-capacity schools,
- d) Moving special programs from over-capacity schools to under- capacity schools to utilize excess permanent capacity where it exists.

- POLICY 1.1.6:** Concurrency shall be evaluated and determined within the geographical boundaries of the established CSAs.
- POLICY 1.1.7:** The number of elementary, middle, and high school students generated by a residential development, shall be calculated by multiplying the number of dwelling units by the student generation rates by school type as set forth by the School District.
- POLICY 1.1.8:** The Town shall support OCPS efforts to meet adopted LOS standards through the adoption of a ten-year, financially feasible District Capital Outlay Plan (DCOP). Where the LOS cannot be achieved through the construction of new school capacity as provided in the five-year DCOP, the Town shall cooperate with OCPS efforts to adopt a long range ten-year DCOP as part of the School District's annual capital planning process.
- POLICY 1.1.9:** Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent, the Town shall not deny an application for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development, or phase of a development, that includes residential uses, based solely on failure to achieve and maintain the adopted LOS in a CSA.
- POLICY 1.1.10:** The Town, in conjunction with OCPS, shall review LOS standards for public school facilities annually. Changes to those standards shall be processed as amendments to the Town's Public School Facilities Element and Capital Improvements Element.

OBJECTIVE 1.2: *School Concurrency Areas.* OCPS, in conjunction with Town, consistent with Section 16 of the Interlocal Agreement shall establish and annually review school Concurrency Service Areas (CSAs), which will be used to evaluate capacity of schools available to accommodate students generated by proposed development.

POLICY 1.2.1: CSAs shall be reviewed annually in conjunction with the OCPS adoption of an updated ten-year District Capital Outlay Plan (DCOP). CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs and state-adopted student travel standards, court approved desegregation plans, the impact on school capacity from committed and approved development, and other factors.

OBJECTIVE 1.3: *Implementation of School Concurrency.* The Town of Windermere and OCPS shall develop and maintain throughout the planning period a joint process for the implementation of School Concurrency as provided for in the adopted interlocal agreement.

POLICY 1.3.1: The Town shall not approve a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density on property that is not otherwise vested until such time as OCPS has determined whether sufficient capacity will exist concurrent with the development or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development.

POLICY 1.3.2: The Town will determine if a development is vested or exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, the Town shall not approve a residential site plan, plat, or its functional equivalent, until a school concurrency recommendation has been provided by OCPS and a Concurrency Certificate has been issued for the development consistent with the provisions of the adopted interlocal agreement.

POLICY 1.3.3: School concurrency shall not apply to property within a development of regional impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units.

POLICY 1.3.4: For DRIs that include residential development and are submitted after July 1, 2005, the Town shall include OCPS planning staff on the review team for the DRI, and shall ensure that DRI Development Orders, and DRI Development Order amendments that increase the total number of residential dwelling units, address the issue of school capacity. Where existing school capacity is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders and agreements.

POLICY 1.3.5: Any proposed residential development that creates an impact of less than one student shall be considered de minimis and therefore exempt from school capacity review.

POLICY 1.3.6: Vested rights and exemptions with respect to concurrency and consistency shall be in accordance with applicable law.

POLICY 1.3.7: Consistent with Section 18.2 of the Interlocal Agreement, the following residential uses shall be exempt from the requirements of school concurrency:

- (a) Any proposed residential development considered de minimis as defined by PSFE Policy 1.3.5.
- (b) One single-family house, one (1) duplex, and/or one accessory dwelling unit being developed on an existing platted residential lot of record.
- (c) Any building or structure that has received a Building Permit as of the effective date of the Interlocal Agreement.
- (d) Any new Residential Development that has Site Plan approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one (1) dwelling unit per lot.
- (e) Any amendment to any previously approved Residential

Development, which does not increase the number of dwelling units or change the type of dwelling units (e.g., converts single-family to multi-family, etc.).

- (f) Any age-restricted community that qualifies as one of the three types of communities designed for older persons as "housing for older persons" in the Housing for Older Persons Act, 42 U.S.C. § 3607(b). This exemption shall be applied in conformity with the principles set forth in *Volusia County v. Aberdeen at Ormond Beach, L.P.*, 760 So. 2d 126 (Fla. 2000).

Provided, however, that any senior housing community or dwelling unit that loses its qualification as housing for older persons shall be required to meet applicable school concurrency requirements in effect at the time the qualification as housing for older persons is lost.

- (g) Alterations or expansion of an existing dwelling unit where no additional dwelling units are created.
- (h) The construction of accessory buildings or structures, which will not create additional dwelling units.
- (i) The replacement of a dwelling unit where no additional dwelling units are created and where the replacement dwelling unit is located on the same lot, If the type of dwelling unit is different from the original dwelling unit type, the exemption shall be limited to an exemption based on the current student generation rate for the original dwelling unit type. Documentation of the existence of the original dwelling unit must be submitted to the concurrency management official.
- (j) School concurrency shall not apply to property within a development of regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units; however, such exemption shall expire upon withdrawal, denial, or expiration of the application for a development order. If such Development

of Regional Impact has been approved, or is approved, through a development order, such exemption shall expire for any phase of the development order upon expiration of the development order build-out date for such phase, or for the entire development order upon expiration of the development order, or upon any material default of the school mitigation conditions of the development order or a related development agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

- (k) The portion of any Residential Development that, prior to July 1, 2005, is the subject of a binding and enforceable development agreement or Capacity Enhancement Agreement designated as a Capacity Commitment Agreement by resolution of the School Board; however, such exemption shall expire upon expiration of the development agreement, Capacity Enhancement Agreement, or upon any material default of the school impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.
- (l) Any Residential Development with a letter vesting it for purposes of complying with school concurrency, or which would be vested at common law for purposes of such concurrency requirement implemented by this Agreement, provided that the School Board may contest a vested rights determination as provided in the land development regulations.
- (m) Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for postsecondary students, and religious non-youth facilities, regardless of whether such facilities may be classified as residential uses.

OBJECTIVE 1.4: OCPS Concurrency Review. Upon completion of an OCPS Concurrency Review, a development that fails to meet LOS requirements as set forth in Policies 1.4.1, 1.4.2, 1.4.3, and 1.4.4 may be postponed until adequate public school capacity is created.

POLICY 1.4.1: A development shall be deemed to meet concurrency if there is available capacity in the CSA where the development is located or where available capacity exists in one or more contiguous CSAs, so long as the LOS in the adjacent zone does not exceed 95% of the LOS and the School District does not exceed 100% of capacity on a district-wide basis for the school type. The evaluation of capacity in the adjacent CSAs will also take into account transportation costs and court-ordered desegregation plans.

POLICY 1.4.2: Proportionate share, when used for mitigation, shall be calculated based on the number of additional permanent student stations and additional core and ancillary facilities necessary to meet the level of service standards established for the affected CSA(s). Any Proportionate Share Mitigation must be directed by OCPS to a school capacity improvement identified in the capital improvement schedule in the financially feasible five-year district work plan of the District Facilities Work Program, and in the Capital Improvements Element in the Comprehensive Plan of the County and the Municipalities to maintain financial feasibility based upon the adopted LOS standards. If a school capacity improvement does not exist in the District Facilities Work Program, OCPS may, in its sole discretion, add a school capacity improvement to mitigate the impacts from a proposed residential development, so long as the financial feasibility of the District Facilities Work Program can be maintained and so long as the Town agrees to amend its Capital Improvements Element to include the new school capacity improvement.

POLICY 1.4.3: Proportionate Share Mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten-year DCOP, establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, or other methods identified in Section 19.6(b) of the School ILA and as may be negotiated between the developer and OCPS and, as appropriate, the Town.

POLICY 1.4.4: Any of the Proportionate Share options set forth in Policy 1.4.3 that are utilized by developers as mitigation are eligible for school impact fee credits as provided for in Florida law.

GOAL 2: Maintain a high quality educational system for the current and future residents of Orange County through coordinated efforts with Orange County Public Schools (OCPS), as provided in the adopted Interlocal Agreement.

OBJECTIVE 2.1: *Coordination and Cooperation with OCPS.* The Town shall coordinate and cooperate with OCPS throughout the planning period to review and maintain procedures established in the adopted interlocal agreement.

POLICY 2.1.1: Pursuant to the adopted interlocal agreement, a Technical Planning Committee comprised of representatives from the Town, other Orange County Municipalities, OCPS and the Regional Planning Council shall be established to discuss issues of mutual concern. OCPS shall be responsible for making meeting arrangements, providing notification and maintaining a written summary of meeting actions.

POLICY 2.1.2: The OCPS Technical Planning Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include:

- a) Short and long-range planning, population and student projections, and future development trends;
- b) Co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;
- c) Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;
- d) The need for new schools to meet the adopted LOS within the adopted CSAs and the coordination of annual revisions to the ten-year District Capital Outlay Plan; and
- e) Update of the Town's Capital Improvements Element for inclusion in the Town's Comprehensive Plan.

POLICY 2.1.3: Pursuant to the Interlocal Agreement, the Town shall provide an update of approved developments, phases of development and estimated build out by phase to the OCPS Planning Department on an annual basis.

POLICY 2.1.4: The Town shall review OCPS generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department.

OBJECTIVE 2.2: *Coordinate the Siting of New Public Schools.* Town and OCPS shall, throughout the planning period, coordinate the siting of new public schools to ensure to the extent possible public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, and are consistent with the Town's adopted Future Land Use Map and with the other provisions of the Comprehensive Plan.

POLICY 2.2.1: Applications for Future Land Use Map amendments, rezonings, conditional use/special exceptions and site plans for schools shall be given priority status. OCPS shall not be required to pay application fees or impact fees for the development of public school facilities, provided, however, OCPS shall not be exempt from payment of capital connection fees for water and wastewater.

POLICY 2.2.2: The Town shall protect existing schools from the intrusion of incompatible land uses through the development review process.

POLICY 2.2.3: In an effort to enhance local communities and neighborhoods, the Town will participate with OCPS in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses surrounding proposed school sites.

POLICY 2.2.4: Where feasible, OCPS and the Town shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via

written agreement that permits the school's use of the public facilities and the public's use of school facilities for community meetings and sports activities.

POLICY 2.2.5: In accordance with Section 1006.23, Florida Statutes, and as funding permits, the Town shall provide construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. OCPS shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the Town.

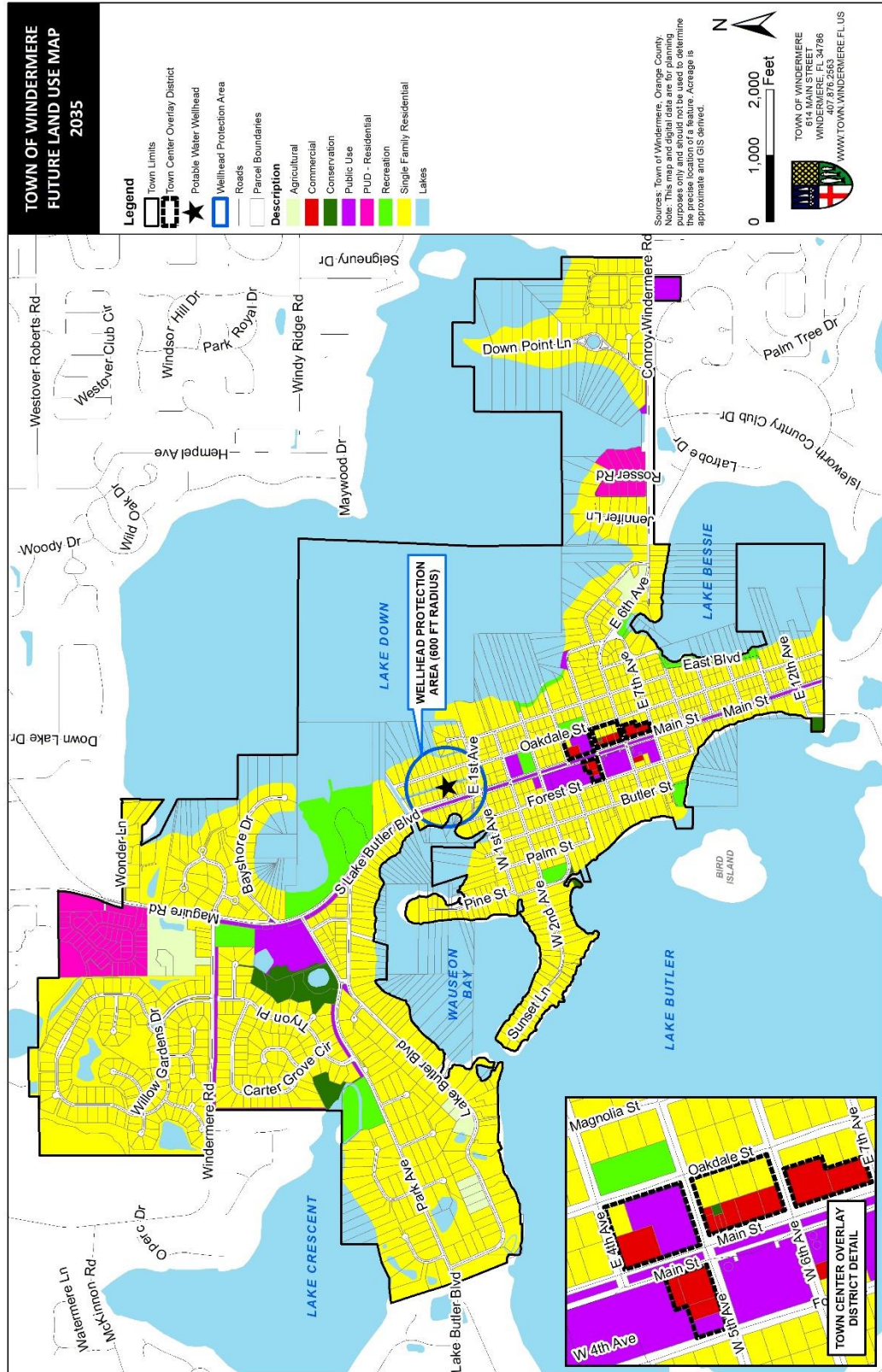
POLICY 2.2.6: Turn lanes and signalization shall be provided at school entrances and at other locations near schools, where warranted, to provide safe access to students and the public. Responsibility for construction of school-related signalization and road construction at school entrances shall be the responsibility of OCPS.

POLICY 2.2.7: OCPS shall coordinate with the Town in the construction of new public school facilities and in rehabilitation of existing public school facilities to serve as emergency shelters as required by Section 1013.372, Florida Statutes.

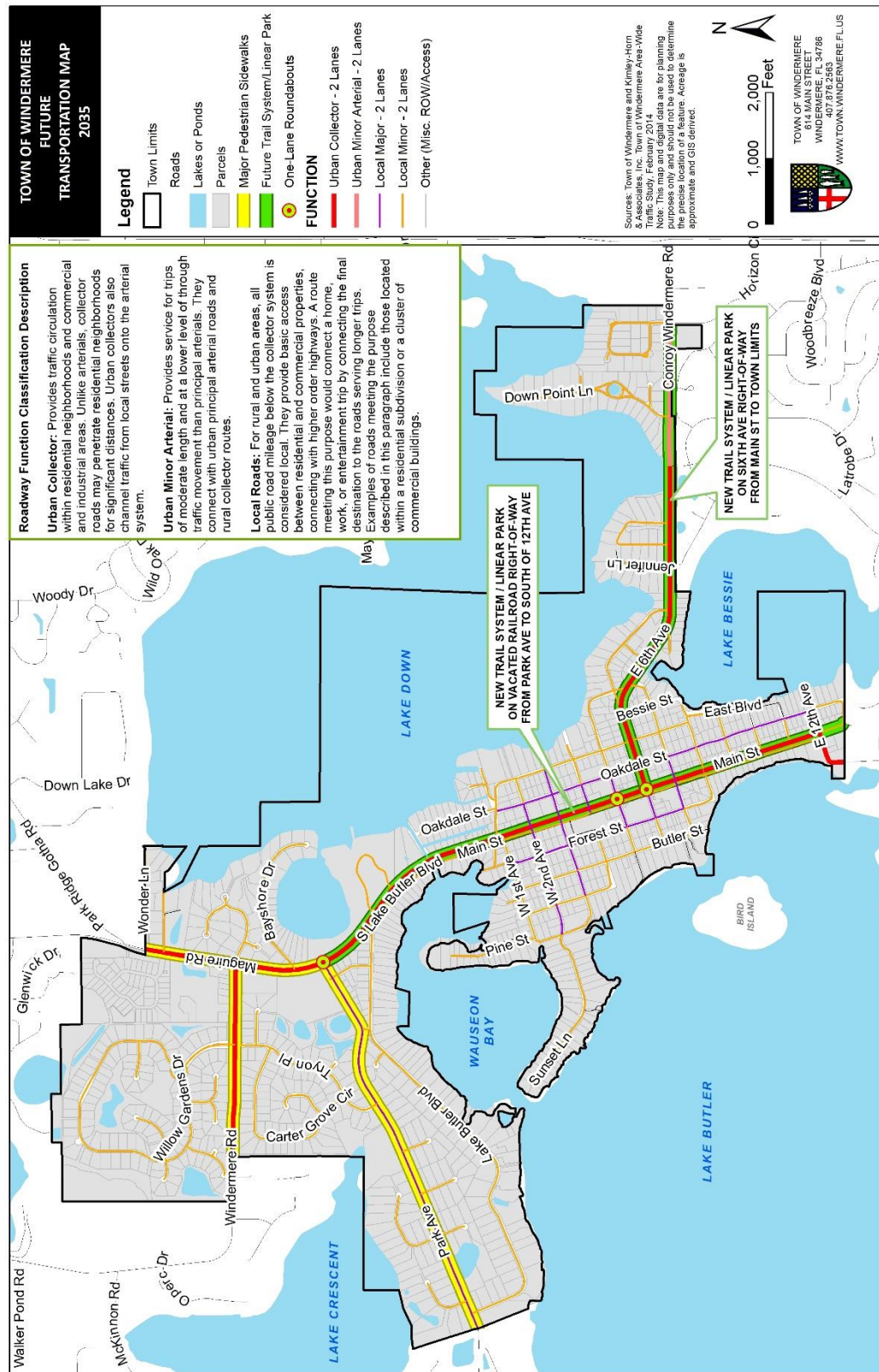
**TOWN OF WINDERMERE
COMPREHENSIVE PLAN
GOALS, OBJECTIVES, POLICIES**

CHAPTER 10

APPENDIX



First Reading: September 11, 2018
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 Ordinance No. 2018-01



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