

THE TOWN OF  
**Windermere**



**MAYOR AND COUNCIL OF THE TOWN OF WINDERMERE**

**Mayor Jim O'Brien**

**Council Members**

**Andy Williams**

**Tony Davit**

**Mandy David**

**Tom Stroup**

***Agenda***

***Agenda***

**October 24, 2023**

**6:00 PM**

**\*\*VIRTUAL WORKSHOP\*\***

**JOIN ZOOM MEETING: [HTTPS://US06WEB.ZOOM.US/J/81120943473?](https://us06web.zoom.us/j/81120943473?pwd=TEIFKE4ZPSGLU4GH7D5BEBT9A7FN8C.1)  
**PWD=TEIFKE4ZPSGLU4GH7D5BEBT9A7FN8C.1****

**MEETING ID: 811 2094 3473**

**PASSCODE: 947733**

**ONE TAP MOBILE: +1-305-224-1968 // 81120943473#**

**PLEASE TURN OFF ALL CELL PHONES AND PAGERS**

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

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

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

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

## AGENDA

- **THE WORKSHOP IS CALLED TO ORDER BY THE MAYOR**
- **FLAG SALUTE**

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

### **2. NEW BUSINESS**

#### **a. Chaine du Lac Annexation**

i. Presentation (Attachment)

ii. Discussion

### **3. MAYOR & TOWN COUNCIL LIAISON REPORTS**

**a. Mayor O'Brien**

**b. Council Member Williams**

**c. Council Member David**

**d. Council Member Davit**

**e. Council Member Stroup**

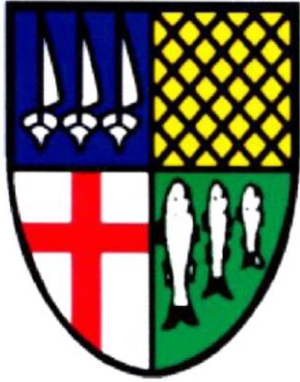
#### **4. STAFF REPORTS**

**a. Town Manager Robert Smith**

**b. Town Attorney Heather Ramos**

**c. Police Chief Dave Ogden**

#### **5. ADJOURN**

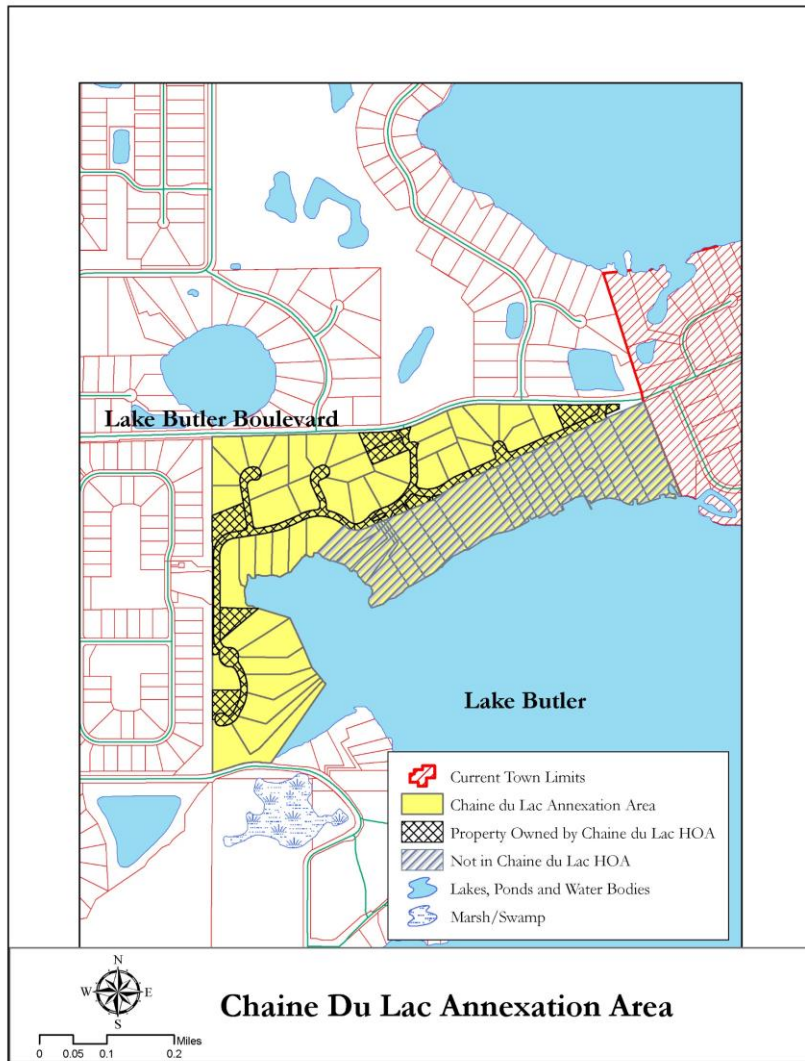


# Chainé Du Lac Annexation: *Town Council Virtual Workshop*

OCTOBER 2023



# Proposed Chaîne Du Lac Annexation Area



- South of Lake Butler Blvd. (West of Town Limits)
- 103 Acres
- 74 Parcels
- 51 Single-Family Dwelling Units
- County Future Land Use: Rural Settlement (RS 1/1)
- County Zoning: Rural - Country Estate - Cluster (R-CE-C)

Source: Orange County Property Appraiser, July 18, 2023

# Annexation Process

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- **Voluntary Annexation:** A property owner with land adjacent to the Town requests to become part of the Town. If the Town agrees, the Town passes an ordinance for the voluntary annexation and the property is annexed.
- **Involuntary Annexation:** The Town identifies land next to the Town limits for potential annexation and enters a three-step process:
  1. Town studies the land and develops a plan for providing public services and analyzes financial impact.
  2. Town notifies Orange County of potential annexation.
  3. Town holds public hearings and Town Council approves ordinance regarding potential annexation.
  4. Town holds a referendum that allows registered voters to vote on the proposal to annex.
  5. Town adopts amendment to its Comprehensive Plan and Zoning Map to include the annexed area.

# Annexation Process

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- Town will ask for a petition signed by at least 51% of the property owners (1 per property) that states their support for the Chaine Du Lac annexation.
- Annexation process will be involuntary and requires the approval of a referendum (vote) by the registered voters within the Chaine Du Lac area proposed for annexation.
  - Town has option, but not required, to also have the registered voters within the Town approve the annexation by referendum.



# Statutory Standards

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- Chapter 171, Florida Statutes (F. S.) provides specific criteria regarding annexation.
- To qualify for annexation:
  - ***“The total area to be annexed must be contiguous to the municipality’s boundaries at the time the annexation proceeding is begun and reasonable compact, and no part of the area shall be included within the boundary of another incorporated municipality.” (Sec. 171.043 (1), F. S.)***
- Chaine Du Lac is contiguous with the western Town limit south of Lake Butler Blvd.
- Chaine Du Lac is compact and does not create any enclaves, pockets, or finger areas in serpentine patterns.
- Chaine Du Lac annexation area is compliant with Section 171.043(1), F.S.





# Statutory Standards (Cont'd)

- To qualify for annexation:  
***“It is so developed that at least 60 percent of the total number of lots and tracts in the area at the time of annexation are used for urban purposes, and it is subdivided into lots and tracts so that at least 60 percent of the total acreage, not counting the acreage used at the time of annexation for nonresidential urban purposes, consists of lots and tracts 5 acres or less in size.” (Sec. 171.043(2)(c), F. S.)***
- Urban purpose is defined as:  
***“Land [that] is used intensively for residential, commercial, industrial, institutional, and governmental purposes, including any parcels of land retained in their natural state or kept free of development as dedicated greenbelt.” (Sec. 171.031(10), F. S.)***
- 100% of the total number of lots and tracts within Chaine Du Lac are used for urban purposes (*based on OCPA data*).
- 100% of the residential lots and tracts within Chaine Du Lac are 5 acres or less in size
- Chaine Du Lac annexation area is compliant with Section 171.043(2)(c), F.S.



# Development Regulations

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- Orange County's Land Development Code regulations remain in effect until Town's Comprehensive Plan is amended to include the Chaine du Lac area.
- Once Town's Comprehensive Plan is amended, Town's Land Development Code regulations take effect.
- Town's Land Development Code allows for continuance of prior approved Orange County development agreements (Chaine du Lac and Park Avenue West) for annexed subdivisions to stay in effect after annexation.
- Town will assign the Planned Unit Development (PUD) Future Land Use and Zoning with specific development standards as part of the PUD to address conflicts with Orange County zoning requirements and Town zoning requirements.



# Potential Timeline for Annexation

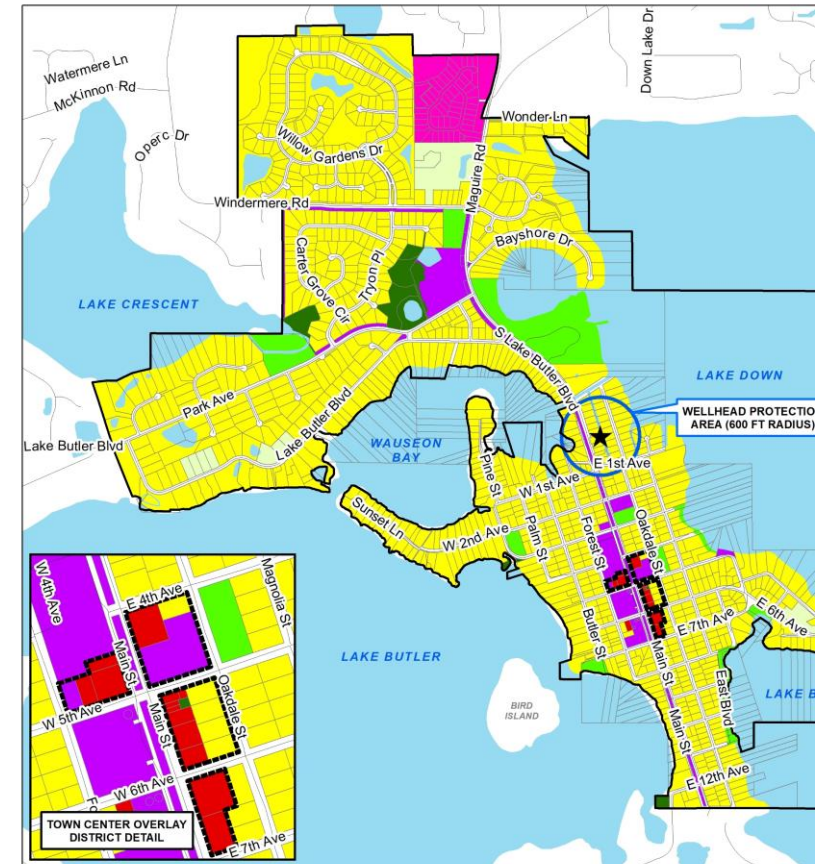
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- After receipt of petition from at least 51% of property owners supporting the annexation (assumes special election by mail ballot):
  - ✓ 30 days to complete annexation analysis
  - ✓ 60 days for required public hearings for approval of ordinance for annexation
  - ✓ 30 days for referendum (after referendum scheduled)

# Potential Timeline for Annexation



- If referendum for annexation is approved:  
60-90 days to process required Comprehensive Plan amendment and Rezoning to assign Town designations.





# Administrative Issues

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- Town Responsibilities vs. HOA responsibilities
- Solid Waste/Recycling
- Fire Service Protection & EMS
- Politics
- Additional Benefits
- Financial Impacts



# Town Responsibilities vs. HOA Responsibilities

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- The Town would accept the existing agreement (Plat) entered into with Orange County.
- HOA would continue to be responsible for the roads, common areas, stormwater and lighting.
- The Town would memorialize this in an Annexation Agreement



# Solid Waste / Recycling

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- Once Annexation is completed, the Town would take over solid waste and recycling for the development. The Town's current contracted waste service and recycling provider is Waste Pro.
- The Town operates 2x a week solid waste pick up (Tuesday and Friday)
- The Town operates recycling pick up 1x a week (Tuesday)
- The Town operates yard waste pick up 1x a week (Wednesday)
  - Solid Waste: 19.68/Month \$236.16/Year Recycling: \$6.39/Month \$76.68/Year
  - You are currently paying \$260 for 1x a week pick up.



# Fire Service Protection / EMS

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- The Town of Windermere does not have a Fire Department. The Town has a continuing services contract with Ocoee Fire Department. Ocoee will provide Fire and EMS services. The Town pays for this through a tax assessment.
- The assessment is calculated currently at .8 mills but will more than likely be reduced next fiscal year to .7 mills.
- Ocoee and Orange County have an automatic aide agreement. Ocoee covers the calls for Orange County in the norther area where Ocoee has more stations and Orange County covers calls in the southern area for Ocoee where Orange County has more stations.



# Politics

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- Once annexed into the Town, the residents of Chaine Du Lac would be able to vote in Town of Windermere elections. This will provide more of a local say in what directly impacts this area. After a year of residency the residents would also be eligible to run in Town of Windermere elections.
- Residents will continue to be Orange County residents and would still vote for Orange County Mayor, Sheriff, etc.
- More direct access to local leaders and staff.



# Added Benefits

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- Once Annexed, residents of Chaine Du Lac will be able to access the Towns Boat Ramps and Tennis Courts.
  - Boat Ramps: Fernwood (Butler) and Bessie
  - Tennis Courts: Main St. and Windermere Recreation Center
- Residents would be eligible to attend resident only events.
- Residents receive a discount on Town Hall Rentals
- Residents can sit on one of the various Town's Boards or Committees that provide recommendations to the Town Council on various subject matters. (DRB, HPB, Tree, LRP, WAYS,P&R)
- Disaster Recovery. The Town was one of the first to complete the disaster recovery from Hurricanes Irma and Ian. The reason is a more local focus than County wide.



# Financial Impact

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- With the current millage rate of 3.7425, Solid Waste, Fire Rescue and Windermere Stormwater assessments, the Chaine Du Lac Residence would see a cost difference of @ \$375/Year.
- If the Town Council reduces the cost of the Fire Assessment for next Fiscal Year, that costs difference could range between \$150-\$275/Year.

# Windermere Police Department

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- Accredited Agency
- New facilities / shareable community training room
- 100% staffing
- Level of service / Direct access
- Regional assets



# Questions?

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