

**ORDINANCE 2017-15**

**A ORDINANCE OF THE TOWN OF MONTVERDE, COUNTY OF LAKE, STATE OF FLORIDA AMENDING THE TOWN OF MONTVERDE'S COMPREHENSIVE PLAN BY REVISING THE TRANSPORTATION ELEMENT TO INCLUDE A NEW GOAL, OBJECTIVE AND POLICIES RELATING TO COMPLETE STREETS TO ACCOMMODATE VARIOUS TYPES OF USERS; PROVIDING DATA AND ANALYSES TO SUPPORT THE ELEMENT; DIRECTING THE TOWN CLERK TO TRANSMIT THIS ORDINANCE TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163 OF THE FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with §163, *Florida Statutes* the Town of Montverde desires to amend the Montverde Comprehensive Plan to include a new goal and objective to integrate complete streets within the Town of Montverde; and

**WHEREAS**, the Town of Montverde also desires to include policies relating to complete streets; and

**WHEREAS**, the Town desires to require roadway designs to accommodate all users, including but not limited to motorists, cyclists, pedestrians, etc.; and

**WHEREAS**, the Town recognizes it is important to improve safety and mobility, and that imposing policies will assist the Town in achieving its goal of complete streets; and

**WHEREAS**, the Local Planning Agency for the Town of Montverde held a duly advertised public hearing on the proposed amendment to the Comprehensive Plan and has determined that the Comprehensive Plan of the Town of Montverde should be amended.

**WHEREAS**, the Town Council of the Town of Montverde public hearing has been advertised as required by law for two public hearings with the first public hearing occurring at least 7 days after the first advertisement was published and the second public hearing for adoption of this ordinance occurring at least 5 days after the day of the second advertisement; and

**WHEREAS**, it is in the best interests of the Town of Montverde to amend the Comprehensive Plan for the Town of Montverde as set forth herein.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MONTVERDE, LAKE COUNTY, FLORIDA AS FOLLOWS:**

**Section 1. Legislative Findings**

The recitals set forth above are hereby adopted as legislative findings of the Town Council of the Town of Montverde.

**Section 2. Transportation Element – New Goal.** Goal 2-2 and associated objective and polices shall be included in the Transportation Element of the Town of Montverde’s Comprehensive Plan to read as follows:

**2-2 GOAL: THE TOWN OF MONTVERDE RECOGNIZES THE NEED FOR COMPLETE STREETS AND WILL ACCOMMODATE ELEMENTS THAT CREATE A COMPLETE STREET WHERE POSSIBLE.**

**Objective 2-2.1: Integrate Complete Streets.** Complete Streets are roadways designed to accommodate all users, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, delivery and service personnel, freight haulers, and emergency responders. The Town shall implement Complete Streets policies for use in planning and development decisions.

**Policy 2-2.1.1:** Improve public health and safety, active mobility and environmental quality by creating and maintaining an integrated network of multi-modal roadways for users of all ages and abilities through the Complete Street design, where applicable. The Town identifies Complete Streets Projects using the entitled “Town of Montverde – Designated Complete Streets Projects”.

**Policy 2-2.1.2:** Provide streets for walking, bicycling and public private transportation to enable convenient and active travel as a part of daily activities for all users, where applicable.

**Policy 2-2.1.3:** Promote infrastructure that facilitates crossing of the right of way, such as accessible curb ramps, crosswalks, refuge islands and pedestrian signals, where applicable.

**Policy 2-2.1.4:** Promote complete streets that contribute to the slowing down of traffic, reduce pollution and emissions, improve environmental quality and provides for local economic opportunities, where applicable.

**Policy 2-2.1.5:** The Town shall utilize the *Green Mountain Scenic Byway Criteria* for review of applicable Complete Streets Projects.

**Implementation Mechanism(s):**

- a. Criteria and performance standards for Complete Streets shall be established by the Town of Montverde and Lake County Public Works Department.
- b. Applicable revisions to the Land Development Code.
- c. Implementation and use of the “Neighborhood Standards and Guidelines Manual for New Subdivisions” – to be updated on a periodic basis.
- d. Montverde will task the Planning and Zoning Board to evaluate and review the Complete Streets process and implementation undertaken by Montverde, as well as review formal exception requests. Representatives from the Town, and the following agencies shall be included in jointly planning for Complete Streets with the Planning and Zoning Board and the Town Council:

- Lake-Sumter MPO;
- Lake County Public Works;
- Montverde Academy;
- Lake County School District; and
- Bike Walk Central Florida.

e. The Planning and Zoning Board and Town Council shall review and revise as necessary, related procedures, plans, regulations, design guides and other processes to align goals with the Complete Streets Policy and ensure accommodation of all users in all projects.

**Section 3. Severability**

Upon a determination that by a court of competent jurisdiction that a portion of this ordinance or the comprehensive plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

**Section 4. Direction to the Mayor**

Upon the Effective Date of this ordinance, the Mayor or designee is hereby authorized to amend the comprehensive plan as identified herein after compliance with F.S. 163.3184 and F.S. 163.3184(11).

**Section 5. Repeal**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

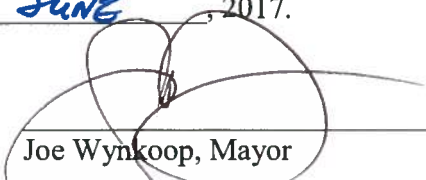
**Section 6. Transmittal**


After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the Town of Montverde, Florida.

**Section 7. Effective Date**

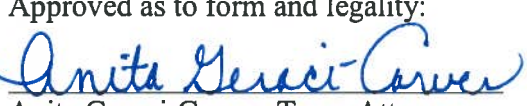
This ordinance shall become effective upon the date a final order is issued by the Department of Economic Opportunities or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED and ADOPTED at a regular meeting of the Town Council of the Town of Montverde, Lake County, Florida, this 13 day of JUNE, 2017.

  
\_\_\_\_\_  
Joe Wynkoop, Mayor

  
\_\_\_\_\_  
Jim Peacock, Council President

Attest:  
  
\_\_\_\_\_  
Graham Wells, Town Clerk

Approved as to form and legality:  
  
\_\_\_\_\_  
Anita Geraci-Carver, Town Attorney

First Reading May 9, 2017  
Second Reading June 13, 2017

Council Member Peacock moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member Ley and upon roll call on the motion the vote was as follows:

	YEA	NAY
Billy Bates	✓	
Glenn Burns	RESIGNED	
Jim Ley	✓	
Jim Peacock	✓	
Judy Smith	Absent	

