

**ORDINANCE 2017-16**

**A ORDINANCE OF THE TOWN OF MONTVERDE, COUNTY OF LAKE, STATE OF FLORIDA AMENDING THE TOWN OF MONTVERDE'S COMPREHENSIVE PLAN BY REVISING THE FUTURE LAND USE ELEMENT TO INCLUDE A NEW POLICY REQUIRING ADHERENCE TO THE NEIGHBORHOOD STANDARDS AND GUIDELINES MANUAL FOR THE SUBDIVISION OF LAND WITHIN THE TOWN OF MONTVERDE WHERE 4 OR MORE LOTS ARE BEING CREATED; 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 policy in the Future Land Use Element which imposes requirements for subdivisions of land into 4 or more lots to comply with neighborhood standards and guidelines; and

**WHEREAS**, the Town desires to protect its unique and rural identity; and

**WHEREAS**, it vital to plan and provide guidelines to ensure future growth adds to the fabric of the community while preserving the rural identity and lifestyle of the Town; and

**WHEREAS**, standards and guidelines addressing residential design, walkable neighborhoods, water resource protection – low impact development criteria, and conservation criteria will achieve the Town's goal of preserving its identity; 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. Future Land Use Element – New Policy.** Policy 1-1.14.3 shall be included in the Future Land Use Element of the Town of Montverde’s Comprehensive Plan to read as follows:

Policy 1-1.14.3:

**Use of Neighborhood Standards and Guidelines Manual for New Subdivisions.** The Town shall require any subdivision of land within all Land Use Categories where four (4) or more lots are proposed to adhere to standards defined in *Neighborhood Standards and Guidelines Manual for New Subdivisions*.

**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**

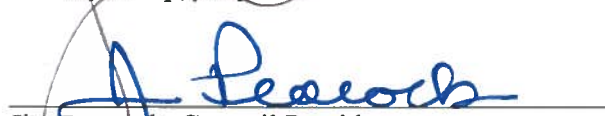
After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental 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.

  
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Joe Wynkoop, Mayor

  
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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 Bates 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	

