

ORDINANCE 2017-23

AN ORDINANCE OF THE TOWN OF MONTVERDE, FLORIDA, AMENDING SECTION 2.5 IN CHAPTER 2 OF THE TOWN OF MONTVERDE LAND DEVELOPMENT CODE TO EXPAND THE DUTIES OF THE PLANNING AND ZONING COMMITTEE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Montverde regulates the minimum residential lot size for properties annexed into the Town after March 7, 2000; and

WHEREAS, the Town recognizes there are certain properties which if annexed into the Town after March 7, 2000 would be desirable to develop at less than one acre; and

WHEREAS, properties located near commercial areas outside of the Town of Montverde or employment areas outside of the Town of Montverde and have a minimal effect on traffic through historic Montverde are more conducive for development having smaller lot sizes; and

WHEREAS, the Town of Montverde has determined that it is necessary to protect the health, safety, and welfare of its citizens to amend the Town's Land Development Code;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Montverde, Florida, as follows:

SECTION 1. Legislative Findings and Intent. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

SECTION 2. That Sections 2-5(g) and (h) in Chapter 2, Part III (Land Development Code) of the Montverde Code of Ordinances shall be created to read as follows:

Sec. 2-5. (g) – Annexations and other development related approvals.

(g) Annexations and other development related approvals. The planning and zoning committee shall hear and make recommendations to the town council for requests for annexation into the municipal boundaries of the town. If directed by town council, the planning and zoning committee shall hear and make recommendations to the town council for any requests relating to development approvals which are not already enumerated within the Town Code or Land Development Code. The town council has discretion to refer any requests relating to development approvals to the planning and zoning committee for it to hear and make recommendations to the town council unless otherwise prohibited by law.

Sec. 2-5. (h) – Complete streets.

(h) Complete streets. The planning and zoning committee shall perform any and all tasks identified in the Complete Streets Policy adopted by town council.

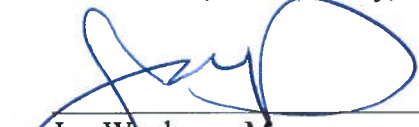
SECTION 3. Codification. It is the intent of the Town Council of the Town of Montverde that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in renumbering and codifying the provision of this Ordinance.

SECTION 4. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

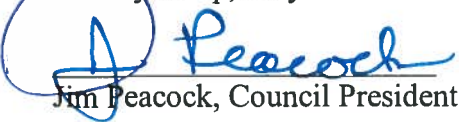
SECTION 5. Conflicts. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this Town, the provision of this Ordinance shall govern.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption.


PASSED AND DULY ADOPTED by the Town of Montverde, Lake County, Florida this 8 day of August, 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 JUNE 13, 2017
Second Reading AUGUST 8, 2017

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

	YEA	NAY
Bill Bates	✓	
Allan Hartle	✓	
Jim Ley	✓	
Jim Peacock	✓	
Judy Smith	✓	

