



Agenda

Agenda

CITY COMMISSIONERS OF THE CITY OF WILDWOOD

Mayor/Commissioner – Ed Wolf – Seat 1
Mayor Pro-Tem/Commissioner – Ronald Allen – Seat 5
Pamala Harrison-Bivins – Seat 2
Don C. Clark – Seat 4
Robby Strickland – Seat 3
Joseph Jacobs – Interim City Manager

January 9, 2012
7:00 PM

PLEASE TURN OFF ALL CELL PHONES AND PAGERS

Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Department, ADA Coordinator, at 352-330-1330, Ext. 102, forty-eight (48) hours in advance of the meeting.

F.S.S. 286.0105A-If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The City of Wildwood DOES NOT provide this verbatim record).

AGENDA

- THE MEETING IS CALLED TO ORDER BY THE MAYOR
- INVOCATION
- FLAG SALUTE

1. TIMED ITEMS AND PUBLIC HEARINGS

7:00 PM (a)	PUBLIC HEARING – 2nd FINAL READING	Ordinance No. O2011-20, an ordinance amending a zoning map amendment from Agricultural-10 (AG-10) to "Planned Development" (PD) zoning for Landstone (Attachments – Staff Recommends Approval)
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* Quasi Judicial Hearing

2. REPORTS AND PUBLIC INPUT

- SPECIAL PRESENTATION: None at this time
 - a. City Manager
 - b. City Attorney
 - c. City Clerk
 - d. Commission Members
 - e. Public Forum (10 minute time limit)
 - f. Notes, Reports, and items for the file as attached

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

1. Minutes of Regular Meeting held on December 12, 2011 (Attachments – Staff recommends approval)

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)

1. Ordinance No. O2012-02; An ordinance requiring any and all animals brought on City property to be on a leash (Attachments – Staff Recommends Approval)
2. Ordinance No. O2012-03; An ordinance providing for control of remote control planes within city limits (Attachments – Staff Recommends Approval)
3. Ordinance No. O2012-04; An ordinance amending Ordinance numbers 212, 303 and O2010-06 and section 19-30, City Of Wildwood Code; providing for application of base utility rates; providing for application of metered rates based upon consumption (Attachments – Staff Recommends Approval)

c. RESOLUTIONS FOR APPROVAL:

1. Resolution No. R2012-01; A resolution opposing proposed legislation that modifies, restricts or eliminates the authority of municipalities to levy, collect and/or expend the communication services tax and the local business tax (Commissioner Allen to address) (Attachments – Staff Recommends Approval)
2. Resolution No. R2012-02; A resolution extending Resolution No. R2011-05, placing a moratorium of permitting internet cafes or entities providing game promotions for a period of six months (Attachments – Staff Recommends Approval)

d. APPOINTMENTS

1. None

e. CONTRACTS AND AGREEMENTS

1. None

f. FINANCIAL

1. Bills for Approval (Attachments – Staff Recommends Approval)
2. Request by Chief Reeser to deposit confiscated cash in the amount of \$1,568.71 received as evidence and forfeiture of property into the Law Enforcement Trust Fund (Attachments – Staff Recommends Approval)

g. GENERAL ITEMS FOR CONSIDERATION

1. Schedule a workshop meeting to discuss potential changes to the Comprehensive Plan, Land Development Regulations and Design Standards; proposed dates are January 17th or 18th (Attachments – Board Option)
2. Schedule Special Called Meeting to select top five applicants to interview for City Manager position (Attachments – Board Option)
3. Request by Gidget Gibson to re-establish the Wildwood Area Historical Association to operate as in the past in addition to space for storage of items collected for historical documentation (Attachment – Board Option)
4. Discussion/Approval of request by Cecelia Bonifay with Akerman Senterfitt to extend Landstone-Wright, LLC DRI for a period of four years and ten month per Section 494 of Chapter 2011-142 and Section Chapter 2011-139, Laws of Florida (Attachments – Staff Recommends Approval)
5. Discussion/Approval of request by Dean Barberee with Reader & Partners, LLC to extend Wildwood Springs DRI for a period of four years and ten month per Section 494 of Chapter 2011-142 and Section Chapter 2011-139, Laws of Florida (Attachments – Staff Recommends Approval)
6. Discussion/Approval from Dean Barberee with Reader & Partners, LLC to extend Wildwood Springs PD for a period of four years and ten month per Section 380.06(19)(c) 2 and Section 252.363, Florida Statutes (2011) (Attachments – Staff Recommends Approval)
7. Discussion/Direction of request by Lenard Powell to trade/purchase City-owned property, a portion of parcel ID G08=018 which is contiguous to property he owns, generally located to the north of the intersection of Powell Rd. and CR 44A (Attachments – Board Direction)

4. ADJOURN:

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NOTES – NO ACTION REQUIRED:

- a. None

REPORTS:

CITY MANAGER (2.a.f.):

1. FYI – Fourth Quarter 2011 Public Works Department Report from Gene Kornegay, PWD (Attachments)
2. FYI – New traffic signal at SR44/Powell Rd/Signature Drive Intersection operational as of Jan. 3, 2012 (Attachment)
3. FYI - Police Department's new Police Chaplain Program (Attachments)
4. FYI – Water Department FDEP Sanitary Survey Report (Attachments - Informational Only)

## TIMED ITEMS AND PUBLIC HEARINGS

|                   |                                                   |                                                                                                                                                                                                |
|-------------------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7:00<br>PM<br>(a) | <b>PUBLIC HEARING –<br/>2nd FINAL<br/>READING</b> | Ordinance No. O2011-20, an ordinance amending a zoning map amendment from Agricultural-10 (AG-10) to “Planned Development” (PD) zoning for Landstone (Attachments – Staff Recommends Approval) |
|-------------------|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## ORDINANCE NO. O2011-20

**AN ORDINANCE OF THE CITY OF WILDWOOD GRANTING A REQUEST FOR A PLANNED DEVELOPMENT PURSUANT TO SECTION 8.6 OF THE LAND DEVELOPMENT REGULATIONS; FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA; OWNED BY LANDSTONE-WRIGHT, LLC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

The application filed by Landstone-Wright, LLC (hereinafter referred as the "Developer") for a Mixed Use Planned Development was heard by and before the City Commission, Wildwood, Florida on this \_\_\_\_\_ day of \_\_\_\_\_, 2011. Based upon the verified Application and supporting documents, analyses, maps, charts, other evidence and instruments, the advice, report and recommendations of the Project Review Committee and the testimony adduced and evidence received at the Public Hearing by the Planning and Zoning Board on December 6, 2011 and otherwise being fully advised, the City Commission does hereby find and determine as follows:

### **SECTION 1: GENERAL FINDINGS**

- A. That the Landstone-Wright Planned Development Application (hereinafter referred to as "the Project") was duly and properly filed herein on August 31, 2011.
- B. That all fees required to be borne and paid by the Developer have been paid in accordance with the City of Wildwood Fee Schedule.
- C. That the Project was reviewed by the Project Review Committee and found to meet or exceed the minimum standards of the City's Comprehensive Plan, Land Development Regulations, Code of Ordinances and all other applicable ordinances and regulations.
- D. That the Developer intends to develop the Project consisting of 4,131.8 acres more or less, which is situated in Wildwood, Florida. This land is legally described, a true copy of which is attached hereto as "Exhibit A".
- E. That the City approved the Landstone Communities Amended and Restated Development Order (ARDO) on December 13, 2010.
- F. That the Developer has complied with the conceptual plan provision as required by Section 8.4 of the Land Development Regulations.

- G. That the City has complied with the due notice requirements of Section 3.3(B) 3 of the Land Development Regulations.

## **SECTION 2: FINDINGS REGARDING PLANNED DEVELOPMENT OVERLAY**

- A. That the Developer has applied for a Mixed Use Planned Development (MUPD) of the lands described in "Exhibit A".
- B. That the Project is consistent with both the City of Wildwood Comprehensive Plan, the intent and purpose of the City of Wildwood Land Development Regulations, the Landstone Communities Amended and Restated Development Order, and does promote the public health, safety, morals, welfare, and orderly growth of the City of Wildwood.
- C. That the City of Wildwood Land Development Regulations are consistent with the provisions of the "Planned Development Agreement" as hereinafter set forth in this Ordinance and with respect to any conflict between the Land Development Regulations in effect at the time of adoption of the "Planned Development Agreement", the provisions of the "Planned Development Agreement" shall govern. The "Planned Development Agreement" is vested for the timeframe necessary for the development of the property which is the subject of the Planned Development Agreement. The City of Wildwood will ensure the compliance with this Ordinance.
- D. This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.
- E. That nothing in this Ordinance shall be construed as waiving or limiting the Developer's right to develop the Property in accordance with the version of the Land Development Regulations which became effective on July 25, 2011. It is also acknowledged that Developer has the right, but not the obligation, to proceed under all or portions of the version of the Land Development Regulations that were adopted by the City on July 25, 2011, as amended.

## **SECTION 3: PLANNED DEVELOPMENT AGREEMENT: GENERAL PROVISIONS**

- A. General Conditions. The following general conditions shall apply to the Project:
  - 1) Any portion of the property which has not yet been developed and/or platted may continue to be utilized for agriculture and silvicultural activity as presently existing on the property.

- 2) Individual developers within the Project will not be required to contain multiple housing types within individual development pods. The overall Landstone project meets the requirement for a “mix of housing types.”
- 3) The definitions within the City of Wildwood Land Development Regulations (LDRs) shall apply to the Landstone Planned Development (PD) unless otherwise defined within the PD. The following definitions shall prevail in the event of a discrepancy between the LDRs and the Landstone PD:
  - a) Open Space. Open space is defined as any portion of the Project which is open to the sky and contains no impervious surfaces, except that pervious surfaces within the residential lots or commercial parcels do not qualify as open space.
  - b) Single family attached. A dwelling unit whose primary structure or garage is connected to an adjacent dwelling unit or garage by any architectural feature integral to their design, excluding fences, posts, utility screen walls, stoops, driveways, walkways and air conditioning pads.
  - c) Tracts, Pods and Parcels. The terms “tract(s)”, “parcel(s)” and “pod(s)” as used herein are interchangeable and refer to the land use areas shown on the conceptual development plan.
  - d) Project. Landstone-Wright Planned Development Application. The project is the entire 4,131 acres more or less as a whole.

B. Development Concept. The Project shall be developed as a Planned Development substantially in accordance with this Ordinance and the Amended and Restated Development Order, as the same may be amended from time to time in accordance with the law. This Planned Development Agreement shall govern the development of the Project. The Project shall adhere to the Design Standards contained within Section 4 of this Ordinance.

C. Conceptual Development Plan. The Project includes a conceptual development plan pursuant to Section 8.4 of the Land Development Regulations. The conceptual development plan prepared by EDSA, dated August 2, 2011 is incorporated into this Ordinance as “Exhibit B”. The conceptual development plan is substantially consistent with the Landstone Communities Amended and Restated Development Order and Policy 1.7.2 of the Future Land Use Element of the City of Wildwood Comprehensive Plan.

- 1) The conceptual development plan illustrates the general location of the following land uses which may be described in more detail in Section 4 of this Ordinance:
  - a) Industrial and/ or Mining;

- b) Neighborhood Mixed Use Center (NMUC);
- c) Neighborhood Commercial Center;
- d) Community Villages;
- e) Residential Villages;
- f) Public facilities;
- g) Parks;
- h) Golf;
- i) Preservation areas;
- j) Nature center;
- k) Canal; and
- l) Stormwater

2) The conceptual development plan is conceptual in nature and may be affected or modified by final zoning approval and conditions, by compensating storage capacity in flood prone areas, final wetland or protected species locations and jurisdictional boundaries, final engineering, permitting, surveys or conservation easements.

D. Development Program. The Project shall be developed in accordance with the development programs contained within the conceptual development plan and the phasing table below.

| Land Use             | Phase 1     | Phase 2      | Totals       |
|----------------------|-------------|--------------|--------------|
| Residential          | 3,475 units | 4,550 units  | 8,025 units  |
| Commercial/Retail    | 170,000 SF  | 482,500 SF   | 652,000 SF   |
| Office               | 60,000 SF   | 90,000 SF    | 150,000 SF   |
| Warehouse/Industrial | 250,000 SF  | 250,000 SF   | 500,000 SF   |
| Hotel                | 250 rooms   | -            | 250 rooms    |
| Mine                 | 280 acres   | -            | 280 acres    |
| Golf Course*         | 18 holes    | -            | 18 holes     |
| Parks                | 75 acres    | 6.1 acres    | 81.8 acres   |
| Elementary School    | -           | 650 students | 650 students |

Notes: \* The "golf course" land use may include 18 holes of golf course with clubhouse and associated uses and/or spa wellness facility.

E. Development Phasing. The Project shall be phased as follows:

- 1) The first Community Village will commence development in the northern section of the Project along CR 470 in close proximity to the Neighborhood Mixed Use Center (NMUC).
- 2) Development phasing will progress from north to south. The highest density and intensity of uses will be placed where infrastructure is already in place and near internal locations for the expansion of water and wastewater services.
- 3) No Residential Village, located greater than one (1) mile from a previously developed Community Village, Residential Village or NMUC parcel, shall commence construction until 50% of the units

in the previously developed village or parcel have received building permits.

- 4) The development of the Project shall be developed in accordance with the phasing schedule as shown on the PD Conceptual Development Plan.
- 5) A transition zone/buffer area will be established along the southern boundary of The Landstone Communities DRI in order to create a clear transition from urban to rural land uses, and to establish an aesthetically pleasing visual and physical separation between The Landstone Communities DRI and the rural lands to the south. Residential and non-residential uses, including roadways, shall not be allowed in this area. The transition zone will extend along the southern boundary and be defined as a 1,000' offset from a single, straight line drawn between the SE corner of SECTION 27-20-23 and the SW corner of SECTION 28-20-23, except for the approximately 40 acre carve out (SE 1/4 of SE 1/4 of SECTION 28-20-23) located in the south central portion of the property which shall have a 150' offset along its northern boundary. Allowable uses within the transition zone are preservation and conservation uses (including the necessary access and improvements to support management of these uses), golf course and passive recreation.

- F. Zoning Overlay Map. The Planned Development shall be filed and retained for public inspection and shall constitute a supplement to the zoning overlay map pursuant to subsection 8.2(G) of the Land Development Regulations.
- G. Amendments. The Development Services Director, or designee, shall have the authority to approve non-substantial changes to the conceptual development plan without a public hearing. The determination of what constitutes a non-substantial change shall be at the Development Services Director's discretion. All modifications requiring an amendment to the Planned Development Agreement shall require review and recommendation of the Planning and Zoning Board and action by the City Commission in the same manner as an Application for Planned Development.
- H. Future Approvals. After the Planned Development is recorded, and prior to any construction occurring, a site plan or subdivision preliminary plan shall be submitted for review and approval in the manner required by Chapter 4 or Chapter 5 of the Land Development Regulations, whichever Chapter is applicable. Prior to approval of a site plan or a subdivision preliminary plan, the Project may:
- 1) Recreation and Open Space Master Plan. In lieu of the City's amenity and open space requirements contained within the Design District Standards, the Applicant may prepare and submit for

approval, a recreation and open space master plan for the Project. The recreation and open space master plan should include the system of pedestrian greenways and multi-modal trails described herein and will describe in detail how adequate recreation and open space will be provided within development tracts and within the overall Project itself. The master plan will be substantially consistent with the conditions of the Amended and Restated Development Order and this Planned Development Agreement.

- 2) Utility/Developer's Agreement. The City of Wildwood will provide water, wastewater and, when available, reuse water services to the Project. This commitment is memorialized in the Annexation Agreement, Memorandum of Understanding and Amended and Restated Development Order between the Developer and the City. The City and the Developer agree to enter into Utility or Developer's Agreements to address the provision of water, wastewater and reuse water to the Project.

#### **SECTION 4: PLANNED DEVELOPMENT AGREEMENT: PROJECT STANDARDS**

- A. General Principles and Standards. The following general and principles and standards shall apply:
  - 1) The Project shall be designed with compact development tracts interlaced with an extensive network of open space and interconnected with a comprehensively planned system of pedestrian greenways and multi-modal trails with the specific intent of reducing automobile dependence and greenhouse gas emissions while promoting energy efficiency and sustainable lifestyle habits.
  - 2) The Project shall incorporate the principles of smart growth and clustering to provide open space, preserve natural resources, and promote social interaction within a pedestrian friendly community.
  - 3) A wide diversity of housing types shall be incorporated into the Project to appeal to a wide variety of economic and age levels.
  - 4) The Community and Residential Villages, Neighborhood Mixed Use Center and Neighborhood Center within the Project shall be interconnected by a system of approximately 20 miles of trails, bike lanes and off-road multi-use paths. This will provide multi-modal opportunities for the Project's residents, provide recreational opportunities, and contribute to the overall health of the residents.
  - 5) In order to promote a balanced community, the plan for the Project shall provide sites for a variety of support uses which may include an elementary school and regional park, waste water treatment plant and wet weather storage area, and a Fire/EMS/City Services Office site. In addition, neighborhood parks shall be provided in

each residential neighborhood to support the recreational needs of the neighborhood.

- B. Land Use Categories. The Project shall contain land use categories consistent with this Section and with the conceptual development plan.
- 1) Neighborhood Mixed-Use Center (NMUC). At the time of full project buildout the NMUC:
    - a) Shall not be smaller than two hundred fifty (250) gross acres;
    - b) Shall contain no less than three hundred thousand (300,000) square feet of Commercial/Retail building space and no less than one hundred fifty thousand (150,000) square feet of Office building space;
    - c) May contain up to two hundred fifty (250) hotel rooms; and
    - d) Shall contain no less than two thousand (2,000) dwelling units
  - 2) Performance Standards with the NMUC.
    - a) The minimum average residential net density in the NMUC shall be 10 units per residential acre. At least 50% of the residential uses in the NMUC shall be located within one-half mile walking distance of non-residential uses to promote an attractive and functional mix of land uses and to achieve energy efficient land use pattern.
    - b) Minimum intensity for non-residential development shall be .25 FAR.
    - c) The uses within the NMUC must adhere to the setbacks and development standards in Section 4.D of this Ordinance.
    - d) The NMUC shall follow the Community Design District standards. Street cross-sections have been incorporated into this Ordinance as "Exhibit C."
  - 3) Community Village. Community Villages shall adhere to the following requirements:
    - a) In order to create defined, walkable neighborhoods, residential tracts or pods shall be organized into individual Community Villages of 500-1,500 dwelling units each.
    - b) To ensure a balance of housing options, densities within the Community Villages shall only be achievable by containing a variety of housing types and lot sizes.
    - c) Each Community Village shall be organized around a distinguishable village center with recreational open space suitable for passive and active recreation.
    - d) Mixed-Use and Commercial buildings shall not be permitted within community villages. A spa/wellness facility is a permitted use.
  - 4) Performance Standards within Community Villages.
    - a) The minimum average net density of all Community Villages shall not be less than six (6) dwelling units per residential

- acre and not more than twenty-five (25) dwelling units per residential acre at the time of full project build-out.
- b) At the time of full project build-out, at least seventy five percent (75%) of the residential units in a Community Village shall be located within a one (1) mile walking distance of the edge of the NMUC.
  - c) The uses within the Community Village must adhere to the setbacks and development standards in Section 4.D of this Ordinance.
- 5) Residential Village. Residential villages shall adhere to the following requirements:
- a) In order to create defined, walkable neighborhoods, residential pods shall be organized into individual Residential Villages of 250-1,000 dwelling units each.
  - b) To ensure a balance of housing options, densities within the Residential Villages shall only be achievable by containing a variety of housing types and lot sizes.
  - c) Each Residential Village shall be organized around a distinguishable village center with recreational open space suitable for passive and active recreation.
  - d) Mixed-use and commercial buildings shall not be permitted within residential villages.
- 6) Performance Standards within Residential Villages.
- a) The minimum average net density of all Residential Villages shall not be less than three (3) dwelling units per residential acre and not more than twenty (20) dwelling units per residential acre at the time of full project build-out.
  - b) The uses within Residential Villages must adhere to the setbacks and development standards in Section 4.D of this Ordinance.
- 7) Neighborhood Commercial Center (NCC). At the time of full project build-out the NCC:
- a) Shall not be smaller than 10 gross acres; and
  - b) Shall contain no less than 30,000 square feet of Commercial /Retail building space
- 8) Performance Standards within the NCC.
- a) Residential units at a minimum average net density of 6 units per residential acre may also be located in the NCC to promote and attractive and functional mix of land uses and to achieve energy efficient land use pattern.
  - b) The NCC shall be designed to provide pedestrian and bicycle access to surrounding villages to reduce automobile dependency.
  - c) The uses within the NCC must adhere to the setbacks and development standards in Section 4.D of this Ordinance.
- 9) Industrial Development Standards.

- a) Industrial uses shall be permitted consistent with the City of Wildwood M-1 zoning district and comply with the City's Industrial Design District Standards.
  - b) A maximum of 500,000 square feet of Industrial/ Warehousing development on 90 to 120 acres will be located east of the mining parcel with access to CR 470. The Industrial/ Warehousing development shall not be located in the Neighborhood Mixed Use Center.
  - c) The following uses are prohibited:
    - i. Paper and pulp manufacturing
    - ii. Outdoor storage yards and similar uses such as junkyards, scrap yards and salvage yards
    - iii. Manufacturing or warehousing of chemicals, fertilizers, hazardous, or biohazardous materials
  - d) A maximum of 280 acres located in the northwest portion of the Project, with access to CR 470, will be utilized for mining.
- 10) Community / Institutional Center. Community and Institutional uses will be located in a central location within the Project adjacent to CR 501 through the dedication to the City of a 75-acre site for a Regional Park and a 14-acre site for an elementary school. The Community / Institutional Center shall be designed to provide pedestrian and bicycle access to surrounding villages to reduce automobile dependency.

C. Golf Course. The Developer may elect not to build the golf course. Golf is considered an alternative land use and at the option of the Developer can be eliminated and converted to residential, stormwater and/or an appropriate amount of open space. No development permits shall be issued for the construction of any golf course, or portion thereof, unless and until the Developer demonstrates that such golf course, or portion thereof, proposed for development approval will comply with the following design, construction, maintenance and monitoring requirements:

- 1) The golf course, including non-play areas of the golf course, will be designed, constructed and maintained to meet the minimum standards of the Audubon International's Signature Gold Program's Natural Resource management Plan's Environmental and Design Standards, or another similar program's environmental and design standards (the "AISP Gold Standards"), which utilize low impact development principles where reasonably feasible to minimize development impacts, but shall not be required to actually obtain such certification.
- 2) Florida Friendly Design landscape principles, including xeriscape, shall be incorporated, as applicable, into the gold course design and construction.
- 3) Non-play areas of the golf course shall be landscaped in accordance with the AISP requirements or its equivalent. Play

areas are to be considered the tee, fairway(s) and greens/putting area.

- 4) The developer shall maintain an up-to-date Integrated Pest Management Program (IPMP) covering the golf course. Prior to the golf course construction, the IPMP shall be submitted to the Florida Fish and Wildlife Conservation Commission (FFWCC) for review and approval and to the Florida Department of Environmental Protection (FDEP) and South West Florida Water Management District (SWFWMD) if required by their respective agency rules. Any revision(s) to the IPMP shall not be considered an action requiring the filing of a Notice of Proposed Change for an Amendment to the Development Order.
- 5) The IPMP shall include a Chemicals Management Plan (CMP).
- 6) Prior to golf course construction, soil testing shall be used to verify that suitable soil cover is maintained between greens surface and any subsurface limestone rock strata, limestone pinnacles or potential karst connections and to determine subsurface features.
- 7) The golf course shall be maintained under the direction of a superintendent(s) who is licensed by the State to use restricted pesticides and who is familiar with and experienced in the principles of integrated pest management. The Developer, with the assistance of the superintendent(s) shall be responsible for ensuring the implementation of the IPMP; and
- 8) The Developer shall report on the status of the golf course for compliance with the Audubon International Signature Program (AISP) or other similar program's environmental and design standards in each Biennial Report as required of this Amended and Restated Development Order.

D. Setbacks and Development Standards. Minimum lot details for residential units are incorporated into this Ordinance as "Exhibit D." The minimum lot details illustrate lot size and setbacks for each residential building type. The minimum lot details are provided for illustration purposes only. The written text shall prevail over the illustrations where interpretation is required.

- 1) Mixed-Use buildings and Commercial buildings within the NMUC shall adhere to the following setbacks and development standards:
  - a) Minimum setback from CR 501: 15'
  - b) Minimum front setback: 15'
  - c) Minimum rear setback: 0'
  - d) Minimum side setback: from face of curb: 15'
  - e) Minimum side setback: between adjacent buildings: 0'
  - f) Minimum Floor Area Ratio (FAR): point two five (.25)
  - g) Maximum lot coverage: one hundred percent (100%)
  - h) Maximum building height: 100'

- i) Balconies, covered entrances, arches, bay windows, and roof overhands may encroach into building setbacks.
- 2) Residential buildings within the NMUC shall adhere to the following setbacks and development standards:
  - a) Multi-family Attached Residential
    - (i) Minimum setback from CR 501: 15'
    - (ii) Minimum front setback: 10'
    - (iii) Minimum rear yard setback:
      - 1. Rear-loaded criteria: 8' from alley edge of pavement when parking outside of garage is not provided or 18' measured from alley edge of pavement when parking outside of garage is provided
      - 2. Front-loaded criteria: 5'
    - (iv) Minimum side setback: from face of curb: 5'
    - (v) Minimum side setback: between adjacent buildings: 0'
    - (vi) Maximum lot coverage: one hundred percent (100%)
    - (vii) Maximum building height: 4 stories (45')
    - (viii) Balconies, covered entrances, arches, bay windows, and roof overhands may encroach into building setbacks 3'.
- 3) Single Family Detached
  - a) Minimum setback from CR 501: 15'
  - b) Minimum lot width: 30'
  - c) Minimum lot depth: 90'
  - d) Minimum lot size: 2,700 SF
  - e) Minimum living area: 1,000 SF
  - f) Minimum front setback: 10'
  - g) Minimum porch setback: 5'
  - h) Minimum side yard setback: 3' (minimum 6' between structures)
  - i) Minimum side street setback: 15'
  - j) Minimum rear yard setback:
    - (i) Rear-loaded criteria: 8' from alley edge of pavement when parking outside of garage is not provided or 18' measured from alley edge of pavement when parking outside of garage is provided
    - (ii) Front-loaded criteria: 5'
  - k) Maximum height: 3 stories (35')
  - l) Maximum lot coverage: 85%
  - m) Balconies, covered entrances, arches, bay windows, and roof overhangs may encroach into front building and corner lot side setback 3'. Balconies and roof overhangs may encroach into rear setbacks.
  - n) On-street parking may be used to meet parking requirements.

4) Single Family Attached

- a) Minimum setback from CR 501: 15'
- b) Minimum lot width: 20'
- c) Minimum lot depth: 90'
- d) Minimum lot size: 1,800 SF
- e) Minimum living area: 1,000 SF
- f) Minimum front setback: 10'
- g) Minimum porch setback: 5'
- h) Minimum side yard setback: 0' or 3' (minimum 6' between structures)
- i) Detached garages are permitted to have 0' side yard setbacks. Detached garages are permitted to be attached to the garage on the adjoining lot.
- j) Minimum side street setback: 15'
- k) Minimum rear yard setback:
  - (i) Rear-loaded criteria: 8' from alley edge of pavement when parking outside of garage is not provided or 18' measured from alley edge of pavement when parking outside of garage is provided
  - (ii) Front-loaded criteria: 5'
- l) Maximum height: 3 stories (35')
- m) Maximum lot coverage: 85%
- n) Balconies, covered entrances, arches, bay windows, and roof overhangs may encroach into front building and corner lot side setback 3'. Balconies and roof overhangs may encroach into rear setbacks
- o) On-street parking may be used to meet parking requirements.

5) Single Family Attached – Townhouses

- a) Minimum setback from CR 501: 15'
- b) Minimum lot width: 15'
- c) Minimum lot depth: 50'
- d) Minimum lot size: 750 SF
- e) Minimum living area: 1,000 SF
- f) Minimum front setback: 10'
- g) Minimum porch setback: 5'
- h) Minimum side yard setback: 0' or 5' for end unit
- i) Minimum side street setback: 15'
- j) Minimum rear yard setback:
  - (i) Rear-loaded criteria: 8' from alley edge of pavement when parking outside of garage is not provided or 18' measured from alley edge of pavement when parking outside of garage is provided
  - (ii) Front-loaded criteria: 5'
- k) Maximum height: 3 stories (35')
- l) Maximum lot coverage: 90%

- m) Balconies, covered entrances, arches, bay windows, and roof overhangs may encroach into front building and corner lot side setback 3'. Balconies and roof overhangs may encroach into rear setbacks
- n) On-street parking may be used to meet parking requirements.

E. Local Street Network. The local street network shall be developed in accordance with the standards listed below. Street-cross sections have been incorporated into this Ordinance as "Exhibit D."

- 1) The overall major street network is shown on the conceptual development plan. This plan shows the major vehicular collector roadways and the extension of CR 501. The roadway alignments, configuration of development areas and points of major access as depicted on the conceptual development plan are conceptual and may be revised during the site plan or construction plan review process. Such changes shall be considered non-substantial. The primary principles the local street network must adhere to are as follows:
  - a) Connectivity. Provide an interconnected network of streets that allows easy internal access between development parcels within the project. Streets shall be connected and cul-de-sacs shall be limited to specific site or environmental conditions that prevent such connections.
  - b) Pedestrian friendly. Ensure safe, pleasant walkable streets that encourage walking within the Project. Traffic calming techniques are encouraged to promote safety and facilitate easy pedestrian movement.
  - c) Multimodal trail compatibility. Allows for interface with a multimodal network of trails throughout the Project that fosters a safe environment for walking and bicycling as alternative means of traveling throughout the project.
- 2) While a grid street pattern is desirable for certain development tracts such as a Neighborhood Mixed-Use Center, it is not mandatory outside of the Neighborhood Mixed-Use Center, so long as the primary principles outlined above for the local street network are respected. Curvilinear streets and cul-de-sacs are appropriate in areas limited by specific site or environmental conditions that prevent connections.
- 3) Parallel or angle on-street parking shall be permitted on any street within the Project.
- 4) Guard house structures and/or control gates may be located within the rights-of-way of private entry roads into development areas. The main access for any parcel fronting on CR 470 shall not be gated. Gated communities shall be permitted in pods which front

CR 501 (extension) so long as the main access directly on CR 501 (extension) is not gated.

F. Greenways, Multimodal and Pedestrian Systems. Greenways, multimodal and pedestrian systems shall contain the following standards:

- 1) Villages will be connected to the Neighborhood Mixed Use Center, the Neighborhood Commercial Center, the Community/Institutional Center, and with other Villages not only by roadway access, but also through a series of greenways and multimodal trails. Greenways will also connect the Villages with recreational and civic uses located throughout The Landstone PD thereby ensuring critical connectivity between and among the residential and non-residential uses.
- 2) Sidewalks are required along local roads within development parcels. Sidewalks shall be five feet (5') in width, made of concrete, and shall be located on both sides of local roads.
- 3) Greenways shall be included throughout the Project as a comprehensive pedestrian network with the specific intent of reducing automobile dependence and greenhouse gas emissions while promoting energy efficiency and sustainable lifestyles.
- 4) Greenways shall be characterized as continuous linear parks that connect Community and Residential Village Centers and amenities within the Neighborhood Mixed Use Center to surrounding greenways, multi-modal trails, nature trails and other components of the project's overall pedestrian system.
- 5) Greenways shall not be less than 10' in width, and paved pathways shall not be less than five feet (5') in width. Pathways in Habitat Protection Tracts, as shown on the Conceptual Development Plan, shall be constructed with pervious materials only.
- 6) Where greenway paths cross residential streets, street crossing signs shall be provided in addition to a raised pedestrian crossing paved with concrete unit pavers in another decorative pavement material that contrasts the street pavement material.
- 7) Existing trees shall be preserved within greenways in accordance with Section 6.10 of the Land Development Regulations. The removal of trees classified by the city as "specimen" or "historic" shall not be permitted within greenways unless the Development Services Director agrees that site conditions or other circumstances make such impacts unavoidable.
- 8) Greenways shall be used by the project as a way to protect significant stands of existing trees and preserve the site's unique character. Where greenways are located in areas devoid of existing trees, one large tree (4" dbh) and two medium trees (2" dbh) shall be provided for every 100 linear feet of greenway path. Tree species shall be in accordance with landscape criteria further defined within this document.

- 9) Greenways may be used for distributed storm water storage, bioswales and vegetated overland storm water conveyance swales as part of a Low Impact Development approach to storm water management in accordance with regulations set forth by Southwest Florida Water Management District.
- 10) Where feasible, development parcels shall provide at least one internal connection to greenways when that development parcel is immediately adjacent to a greenway.

G. Parks and Open Space. The Project shall maintain a minimum of 35% open space. The Project shall adhere to the following:

- 1) Any and all common areas are to be owned and maintained by a property owners association and/or Community Development District(s) (CDD).
- 2) In lieu of the City's amenity and open space requirements contained within the Design District Standards within individual development parcels, the Applicant may prepare and submit for approval a recreation and open space master plan for the Project.
- 3) All park areas and buffers may include stormwater facilities if integrated into the overall design of parks/buffers as a landscape feature.
- 4) A minimum of 10% of the site's upland area shall be maintained as voluntary upland conservation areas. These conservation areas shall be preserved with the specific intent of maintaining site biodiversity and wildlife corridors, preserving habitat for native and listed wildlife species, and providing educational and recreational opportunities for the Project's residents, guests, and visitors to the Project's regional amenities. This voluntary upland conservation area counts toward meeting the 35% open space requirement.
- 5) An approximately 75-acre site shall be dedicated to the City for a Regional Park in lieu of payment of Parks and Recreation impact fees, which donation satisfies this requirement for the Project. The Regional Park site shall be dedicated to the City upon approval of the first final plat within the Project.
- 6) Each Village, as described in Section 4.B, will contain a Village Center consisting of open space and/or active recreational facilities which shall serve as a focal point for that Village.
- 7) Community Garden(s)
  - a) The project shall include Community Garden(s) to provide residents with the opportunity to engage in the cultivation and production of horticultural and agricultural plants, including but not limited to fruits, vegetables, cutting flowers, herbs or other plant types that may be legally grown in the state of Florida and grown without a license.
  - b) The total acreage of all areas within the Project designated as Community Garden(s) shall not be less than 5 acres.

- (i) A contiguous area not less than 3 acres co-located with the Nature Center shall be designated as a Community Garden
  - (ii) Individual Community Gardens not associated with the Nature Center shall not be less than 1 acre in size.
- c) The Community Garden(s) shall be operated under the direction of a volunteer-based non-profit organization that is comprised of community residents and governed by formal Bylaws. This organization shall be responsible for the following:
  - (i) Establishing and enforcing garden members' usage guidelines and responsibilities;
  - (ii) Providing gardening information and regular educational opportunities about community gardening;
  - (iii) Coordinating volunteer maintenance activities;
  - (iv) Maintaining common gardening facilities, including but not limited to compost bins and community tool storage areas, if applicable; and
  - (v) Generating revenue to offset garden operating costs
- d) Common areas in and around the Community Garden(s) shall be maintained by the Master Homeowner Association or Community Development District(s).
- e) Community Garden Design Standards
  - (i) Irrigation water shall be supplied to all Community Gardens from a rainwater storage pond with a potable water make-up as a supplemental source when storage ponds are not adequate. Multiple water taps shall be distributed throughout the garden for easy accessibility to all individual plots. Rainwater harvesting measures and the use of rain barrels shall be encouraged;
  - (ii) Community Gardens shall be enclosed with a fence to discourage vandalism and theft. The fence shall have lockable gate(s) so as to restrict garden access to garden members;
  - (iii) Each Garden shall have weatherproof message board(s). Message board(s) shall be located at each garden entrance and display educational information, news and announcements, and garden rules, including garden hours;
  - (iv) Each Garden shall have a designated composting area for the collection and composting of biodegradable garden refuse. The composting area

shall be defined by bins, fencing, walls or other vertical structures to contain the compost materials;

- (v) Garbage and recycling bins shall be provided at each Garden;
- (vi) Shaded seating areas shall be provided at each Garden;
- (vii) Garden entrances, composting, storage and demonstration areas, irrigation water taps and other common area features shall be marked with appropriate signage. Signage shall be constructed from weatherproof, durable materials and must demonstrate sustainable characteristics including but not limited to high recycled content, ability to be recycled, rapidly renewable materials and/or materials that have been extracted, harvested, and manufactured within 500 miles (as the crow flies) of the project site; and
- (viii) A demonstration organic fruit and vegetable garden plot shall be provided at each Community Garden and shall be maintained by the Community Garden Organization.

#### 8) Environmental Educational Signage

- a) The project shall include a series of signs and interpretive graphic displays that educate the public about environmentally sustainable practices that were incorporated into the development plan. These signs and graphics may describe practices including but not limited to the following:
  - (i) Signs that show where stormwater drains;
  - (ii) Signs that indicate the environmental benefit of pedestrian transportation;
  - (iii) Signs that indicate wildlife corridors and/or indicate the indigenous wildlife at the time of development;
  - (iv) Signs that educate about the need/benefit of conserving water;
  - (v) Signs that educate about the need/benefit of conserving energy;
  - (vi) Signs that indicate the benefit of outdoor lighting that does not brighten the sky;
  - (vii) Signs that educate about the types of native plants and any environmental benefits;
  - (viii) Signs that educate about minimizing impact on preserved, created, or restored;
  - (ix) Areas and how to enhance the environment; and
  - (x) Signs that educate on how to create and maintain habitats for native species in their yards.

- b) No fewer than 10 different sustainable development practices shall be described through Environmental Educational Signage
  - c) Environmental Educational Signage shall be designed and constructed with materials as appropriate per their location within the development to achieve a quality aesthetic that is consistent with nearby site furnishings or signage.
  - d) Environmental Educational Signage may be located throughout the development as determined appropriate in immediate proximity to those practices that are described or explained there on. Potential locations include but are not limited to within parcel streetscapes; along multiuse, greenway and nature trails; at the project Nature Center; within the regional park; village centers and other common amenity spaces; and at habitat preservation areas.
  - e) Environmental Educational Signage shall be constructed from weatherproof, durable materials and must demonstrate sustainable characteristics including but not limited to high recycled content, ability to be recycled, rapidly renewable materials and/or materials that have been extracted, harvested, and manufactured within 500 miles (as the crow flies) of the project site.
- 9) Nature Center
- a) The project shall include a Nature Center that shall serve as a sustainable lifestyle education and demonstration center. The Center shall also serve as an administrative center for Project-wide sustainability initiatives, including habitat and resource monitoring and reporting activities.
  - b) The Nature Center shall be co-located near the Eagle Preserve and Gopher Tortoise habitat as shown on the Conceptual Development Plan.
  - c) The Nature Center shall not be less than 5 upland acres in size. Acreage of the co-located Community Garden shall not contribute to the Nature Center's size for purposes of meeting this minimum acreage.
  - d) The Nature Center shall be maintained by a property owners association and/or Community Development District(s) (CDD). Buffers and other landscape areas shall be planted in accordance with the Landscape and Buffer section of this ordinance.
  - e) The Nature Center may be operated in partnership with various jurisdictional agencies and local research institutions including but not limited to the City of Wildwood Parks and Recreation Department, Southwest Florida Water Management District (SWFWMD), or the University of Florida's Program for Resource Efficient Communities.

- f) The Nature Center shall include at a minimum:
- (i) Paved vehicular access, paved parking spaces and unpaved/stabilized overflow parking spaces;
  - (ii) Pedestrian access to/from adjacent development parcels by way of greenway or nature trail(s);
  - (iii) An outdoor classroom for demonstrations and environmental educational programs with permanent seating;
  - (iv) Permanent shelters;
  - (v) Picnic areas;
  - (vi) Waste and Recycling bins;
  - (vii) Environmental Education Signage;
  - (viii) Entry and way-finding signage;
  - (ix) Multi-Purpose lawn area(s) suitable for educational activities, community gatherings, events and markets;
  - (x) Permanent restroom facilities with drinking fountain(s), low/no flow fixtures and passive lighting;
  - (xi) Trailhead for a universally accessible loop trail providing access to adjacent wildlife habitat preservation areas with trails and environmental education signage;
  - (xii) Native plant community, habitat, and wildlife signage;
  - (xiii) Shaded bench seating;
  - (xiv) Trailheads for Project Greenway or Nature Trail(s);  
and
  - (xv) Weatherproof message board with Nature Center facility map, pedestrian and multi-modal trail map, project open-space map indicating habitat preservation areas and other locations of special environmental interest, Nature Center news and announcements, and monitoring and reporting data.
  - (xvi) Signed demonstration areas of sustainable development practices and materials including:
    - 1. Permeable pavement;
    - 2. Native plant materials;
    - 3. Drip irrigation where appropriate;
    - 4. Vegetated bioswale(s) / raingarden(s); and
    - 5. Rainwater harvesting.
  - (xvii) The Nature Center may but shall not be required to include the following:
    - 1. Landscape waste compost and mulching area;  
and
    - 2. Permanent Visitor's Center with administrative offices.

- (xviii) If a Permanent Visitor's Center with administrative offices is constructed, it shall be designed to meet LEED for New Construction Silver standards. LEED Certification of the building is encouraged but shall not be required. The building shall be a demonstration green building that showcases sustainable building design, construction and operation technologies. The building shall include:
1. Passive day lighting techniques and energy efficient lighting;
  2. Energy Star rated windows and HVAC system as further defined in the City of Wildwood Design District Standards;
  3. Photovoltaic electricity production;
  4. Solar thermal water heating;
  5. Low/no flow toilets, urinals and faucets;
  6. Rainwater harvesting;
  7. High SRI roofing and/or green-roof system;
  8. Sustainable construction materials; and
  9. Site structures, furnishings and signage at the Nature Center shall be constructed from weatherproof, durable materials and must demonstrate sustainable characteristics including but not limited to high recycled content, ability to be recycled, rapidly renewable materials and/or materials that have been extracted, harvested, and manufactured within 500 miles (as the crow flies) of the project site.

- H. Transit. The City and the Developer acknowledge the benefits of advanced planning to accommodate transit within the Project once a system is developed. As such, the following shall apply:
- 1) At least one covered transit stop and bus pull-out shall be located in the Neighborhood Mixed Use Center as shown on the Conceptual Development Plan and adjacent to CR 470.
  - 2) At least one covered transit stop and bus pull-out shall be located in the Neighborhood Commercial Center as shown on the Conceptual Development Plan.
  - 3) Up to three (3) covered transit stops will be located along CR 470 including a Park-n-Ride facility.
  - 4) The Developer agrees to provide an area up to three (3) acres with frontage on or good access and proximity to CR 470 for a transit park and ride facility. Said site is to be made available concurrent with the final plat approval for the lands adjacent to the site.

- 5) At least one (1) covered transit stop and bus pull-out shall be located in the Community/Institutional Center.
  - 6) Residential units along CR 501, which extends through a portion of the site on a north to south alignment, shall be developed at an average minimum net density of six (6) dwelling units per residential acre one-quarter (1/4) mile from the centerline on either side of the road which will support transit ridership.
- I. Stormwater Management. Stormwater management facilities shall adhere to SWFWMD and City of Wildwood criteria for design, construction, operation, treatment standards and maintenance of such facilities in hydrologic and karst sensitive areas as determined by SWFWMD. Further, the Project shall adhere to the following:
- 1) All development shall utilize Low Impact Development (LID) methods to reduce the impact of nutrients on natural wetland systems where approved by the SWFWMD and supported by the Florida Department of Environmental Protection and local agency jurisdiction. These LID methods may include, but not be limited to, low impact stormwater design consisting of:
    - a) Vegetated swales and buffers prior to discharge of treated stormwater;
    - b) Tree cluster rain gardens;
    - c) Pervious pavement,
    - d) Conserving natural areas and wetlands;
    - e) Minimizing development impacts;
    - f) Attempting to maintain site runoff rates;
    - g) The use of integrated management practices;
    - h) The implementation of pollution prevention and proper maintenance;
    - i) Minimization of land clearing;
    - j) Protecting existing vegetation and minimizing clearing of vegetation (on both the overall site as well as individual lots);
    - k) Disconnecting directly connected impervious areas;
    - l) Minimizing impervious areas;
    - m) Minimizing soil compaction and fill;
    - n) Protection of sensitive areas by use of clustering of development and common open space;
    - o) Requiring Florida Friendly landscaping and compliance with the Green Industry Best Management Practices (BMP) for all landscape workers at the site;
    - p) Greenroofs;
    - q) Rainwater cistern systems;
    - r) Stormwater harvesting (reuse);
    - s) Use of floating wetland mats on all wet detention ponds; and
    - t) Public education.

- 2) The use of these and other LID methods shall be subject to review and approval by the SWFWMD and the City.

J. General Project Signage. Signage design shall comply with City of Wildwood Commercial Design Standards. In addition, the following standards shall apply:

- 1) Community marketing signage, park signage, and educational signage shall be permitted.
- 2) Signage shall be compatible with the architecture, materials and composition of the building.
- 3) Signage shall not obstruct windows, cornices, decorative details, or the expression line of the façade. The expression line refers to a horizontal linear element extending across a façade to differentiate between the base, middle and top of buildings or to indicate a massing transition.
- 4) Signage above the expression line shall be prohibited except:
  - a) Wall-mounted hanging signs that are decorative and complement the building façade.
  - b) Signs that identify a building and are incorporated into the cornice detail.
- 5) For all multi-tenant buildings, excluding all multi-tenant lease/out buildings, one primary multi-tenant sign shall be permitted in each right of way frontage, as long as each right of way frontage is equal to or exceeds 400 linear feet in length. If the right of way frontage is less than 400 linear feet, only one primary multi-tenant sign shall be permitted. The maximum height of a primary multi-tenant sign shall not exceed eight feet in height. The maximum text “copy area” of any multi-tenant sign shall not exceed 100 square feet per sign face.
- 6) For all multi-tenant buildings that have more than one right-of-way frontage, one secondary multi-tenant sign shall be permitted in lieu of a primary multi-tenant free standing sign, or where a road right-of-way frontage is greater than 400 linear feet in length. Only one sign for each right of way frontage is permitted. The maximum height of a secondary multi-tenant sign shall not exceed eight feet in height. The maximum text “copy area” of any single sign shall not exceed 80 square feet per sign face.
- 7) Multi-tenant buildings in outparcels shall be limited to signs on buildings and shall not be permitted to advertise on multi-tenant signs.
- 8) Individual parcel monument identification signs are limited to only identification of fee simple parcels as approved as part of a plat. Only one sign per parcel, located along the primary roadway frontage, shall be permitted. If the parcel frontage is 300 linear feet or greater, the maximum height of the sign shall not exceed six feet in height. The maximum text “copy area” of any single sign shall

not exceed 36 square feet per sign face. The maximum copy area of any sign shall not exceed 20 square feet per face.

9) Animal crossing signs shall be permitted.

K. Lighting. Lighting design shall conform to City of Wildwood Design District Standards. In addition, the following standards will apply:

- 1) Lighting design in parking lots and pedestrian areas should aim to reduce the adverse effects of light pollution.
- 2) All light fixtures including security lighting shall be cutoff fixtures and should be incorporated as an integral design element that complements the design of the building and project through its design style, materials and color.
- 3) Lighting on buildings shall not be designed to highlight project site elements within parking areas.
- 4) Illumination levels at all property lines created by lighting shall not exceed one-half footcandle when the building or parking areas are located adjacent to residential areas, and shall not exceed one footcandle when abutting other non-residential properties. House-side shields and other cutoff reflectors shall be incorporated into the lighting design to meet the design standard.
- 5) All lighting within parking and pedestrian areas shall be coordinated with the landscape tree plan to reduce canopy conflicts with proposed or existing trees.
- 6) A lighting time control panel and photocell shall be provided on all new lighting systems to provide automatic system shut-off after ordinary business hours. Full system shut-off excludes security lighting elements.
- 7) Parking area light poles may be placed outside of parking islands as long as the poles are located in an area that is protected or the pole foundation has been designed to accept minimal levels of vehicular impact. All exposed pole foundations shall be aesthetically designed to match the primary structure (i.e. stucco finished with matching paint color) and shall be a minimum three feet (3') in height.
- 8) To provide appropriate lighting within a pedestrian area(s), the maximum light pole height in all parking areas shall not exceed 20 feet.
- 9) Pedestrian lighting plans may incorporate a combination of pole lights, bollard lighting and landscaping accent lighting.

L. Energy Efficiency Standards. The Project shall maintain the following standards:

- 1) Eligible equipment and appliances installed in all mixed use, commercial and residential buildings shall, at a minimum, meet Energy Star standards. Eligible equipment includes, but is not limited to refrigerators, dishwashers, clothes washers and dryers, and ceiling fans.

- 2) Residential heating and cooling equipment shall be Energy Star qualified as further defined in the City of Wildwood Residential Design District Standards. The use of computerized programmable thermostats shall be promoted.
- 3) All residential electric lighting fixtures, both interior and exterior, must be fitted with energy efficient light bulbs, including but not limited to Compact Fluorescent Lights (CFL) or Light Emitting Diode (LED) bulbs. Incandescent bulbs shall not be allowed.
- 4) Residential windows, including those in garage areas, must be Energy Star qualified as further defined in the City of Wildwood Residential Design District Standards.

M. Water Conservation Standards. The provisions of the City of Wildwood Ordinance No. 612 shall apply to development within the Landstone PD per Section 1 therein. Other standards include:

- 1) New homes shall, at a minimum, be designed to meet the water conservation measures contained in City of Wildwood Ordinance No. 612.
- 2) Low flow or dual flush toilet fixtures that are more water efficient than standards set forth in the Energy Policy Act of 1992, will be standard in residential and non-residential construction.
- 3) Water-saver shower heads shall be offered for residential construction, and used where applicable in non-residential construction.
- 4) Automatic shutoff faucets shall be used where applicable in nonresidential construction.
- 5) Rain sensors shall be installed on all residential and non-residential irrigation systems. Non-potable water shall be used for all irrigation once sufficient volume is available.
- 6) Low volume irrigation spray heads as well as drip systems shall be used where appropriate for both residential and non-residential landscaping.
- 7) Residents shall be encouraged to use water-conserving devices for additions they might make to their irrigation systems.
- 8) Drought-tolerant landscaping shall be utilized. The Developer will ensure that all landscaping design and maintenance throughout the development on Developer maintained property conforms to the lawn and landscape practices of the Florida Yards and Neighborhoods Program, as implemented by the University of Florida Cooperative Extension Service.
- 9) The use of high maintenance sodded or landscaped common areas shall be minimized. High maintenance in this condition means requiring regular irrigation beyond the plant establishment period.
- 10) The Developer shall ensure that irrigation systems operated for the Project's common or controlled areas utilize and maintain computerized irrigation based on weather station information,

moisture sensing systems (to determine existing soil moisture), evapotranspiration rates, or zone control to ensure water conservation.

- 11) The Developer shall provide for the installation of reuse infrastructure necessary to serve all irrigated areas within the Project at the time of the installation of utility infrastructure for the Project.

N. Technical Standards. The following technical standards shall apply to the Project:

- 1) Landscaped islands are permitted in cul-de-sacs.
- 2) Right-of-way widths for all street types may be reduced by 10' overall provided a 5' utility easement is provided on either side of the right-of-way.
- 3) Where fire hydrants or fire systems are to be installed the minimum size water main installed shall be eight inches (8") in accordance with the Florida Administrative Code.
- 4) Design calculations, prepared by a registered professional engineer, shall be submitted to the City review concurrent with the plans that demonstrate that the proposed potable water system is capable of providing the required fire hydrant flow (minimum 1,000 gpm) plus peak customer demand flow at all parts of the system while maintaining a minimum residual pressure of 20 psi in all parts of the system.
- 5) Dirt and recycled concrete driveways to mining operations are exempt from the paving requirement contained in Section 6.5.(A)(1) of the LDR's.
- 6) Dead end rights-of-way with a cul-de-sac at the terminal end shall not exceed 1,500 feet.
- 7) Sod, or other material acceptable by FGBC or other green standards acceptable to the City, shall be provided on all unpaved areas in the rights-of-way.

P. Temporary Uses. Modular buildings will be permitted as temporary uses throughout the PD for internal uses such as sales centers, construction trailers, maintenance operations, operating offices or administrative offices. Temporary uses may be administratively approved by the Development Services Director at the time of site plan or construction plan review. The Director may establish appropriate conditions such as the number of temporary uses per site and the length of time the temporary use may be permitted.

Q. Cell Towers. Cell towers are a permitted use; however, the design standards in the LDRs must be met. Cell towers shall not exceed a maximum height of 200 feet.

- R. Maintenance of Common Areas. Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be owned and maintained by the property owners association and/or a Community Development District (CDD), at no cost or obligation to the City. The developer/owner shall create Guidelines for the maintenance of common areas.
- S. Enforcement of Rules and Regulations. For the maintenance of the common areas referenced in Section L above, the applicable provisions in the Guidelines: (i) shall be made applicable to the commercial and the residential segments of the Project; and (ii) shall be submitted to the City of Wildwood for reference, prior to a certificate of occupancy being issued for completed improvements.
- T. Impact Fees. The Project shall be subject to all impact fees applicable at the time of permitting unless payment is not required pursuant to the language contained in this ordinance or any subsequent ordinance and/or agreement entered into by the City and the Developer. All impact fees are to be paid as required in each applicable ordinance. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Project.
- U. Expiration of Planned Development Agreement. Site Development must begin within the Planned Development within 60 months after the final adoption of the Planned Development Agreement. Once the construction of any on-site infrastructure has commenced the Project shall be vested. If no site development has started on the approved Planned Development within the allotted time frame, the City, within 60 days, shall notify the Developer of the pending expiration of the Planned Development Agreement. The applicant may request an extension or the Planned Development shall lapse and be of no further effect. The City Commission may extend the Planned Development Agreement for periods of up to six (6) months provided the Applicant can show good cause why said development was delayed.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
ED WOLF, MAYOR

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

Ordinance O2011-20

Exhibit A

Legal Description

## LANDSTONE-WRIGHT, LLC

### LEGAL DESCRIPTION

#### PARCEL A

A PORTION OF SECTIONS 15, 16, 17 AND 28 TOWNSHIP 20 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA. TOGETHER WITH ALL OF SECTIONS 21, 22 AND 27 TOWNSHIP 20 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF AFORESAID SECTION 15-20-23; THENCE ALONG THE EAST LINE OF AFORESAID SECTION 15-20-23 SOUTH 00°12'50" WEST, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID EAST LINE SOUTH 00°12'50" WEST, A DISTANCE OF 5,283.27 FEET TO THE SOUTHEAST CORNER OF SECTION 15-20-23; THENCE ALONG THE EAST LINE OF AFORESAID SECTION 22-20-23 SOUTH 00°12'50" WEST, A DISTANCE OF 5,333.27 FEET TO THE SOUTHEAST CORNER OF SECTION 22-20-23; THENCE ALONG THE EAST LINE OF AFORESAID SECTION 27-20-23 SOUTH 00°26'10" WEST, A DISTANCE OF 5,333.71 FEET TO THE SOUTHEAST CORNER OF SECTION 27-20-23; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 27-20-23 NORTH 89°46'18" WEST, A DISTANCE OF 2,674.55 FEET TO THE SOUTH 1/4 CORNER OF SECTION 27-20-23; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 27-20-23 NORTH 89°49'59" WEST, A DISTANCE OF 2,655.24 FEET TO THE SOUTHWEST CORNER OF SECTION 27-20-23; THENCE ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 27-20-23 NORTH 00°10'27" EAST, A DISTANCE OF 1,333.94 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-20-23; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-20-23 NORTH 89°32'31" WEST, A DISTANCE OF 1,332.94 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-20-23; THENCE ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-20-23 SOUTH 00°05'48" WEST, A DISTANCE OF 1,334.31 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28-20-23; THENCE ALONG THE SOUTH LINE OF SECTION 28-20-23 NORTH 89°33'27" WEST, A DISTANCE OF 1331.14 FEET TO THE SOUTH 1/4 CORNER OF SECTION 28-20-23; THENCE CONTINUE ALONG SAID SOUTH LINE NORTH 89°33'27" WEST, A DISTANCE OF 2662.79 FEET TO THE SOUTHWEST CORNER OF SECTION 28-20-23; THENCE ALONG THE WEST LINE OF SECTION 28-20-23 NORTH 00°07'47" WEST, A DISTANCE OF 5,341.74 FEET TO THE NORTHWEST CORNER OF SECTION 28-20-23; THENCE ALONG THE WEST LINE OF SECTION 21-20-23 NORTH 00°21'08" EAST, A DISTANCE OF 5,311.20 FEET TO THE NORTHWEST CORNER OF SECTION 21-20-23; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 17-20-23 NORTH 89°35'19" WEST, A DISTANCE OF 2,669.67 FEET TO THE SOUTH 1/4 CORNER OF SECTION 17-20-23; THENCE ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17-20-23 NORTH 00°04'24" WEST, A DISTANCE OF 1,330.45 FEET

TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17-20-23; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17-20-23 SOUTH 89°37'22" EAST, A DISTANCE OF 1,334.58 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17-20-23; THENCE ALONG THE WEST LINE OF THE EAST 1/4 OF SECTION 17-20-23 NORTH 00°05'01" WEST, A DISTANCE OF 3,844.55 FEET; THENCE DEPARTING SAID WEST LINE SOUTH 89°41'26" EAST, A DISTANCE OF 1,333.26 FEET; THENCE SOUTH 89°47'47" EAST, A DISTANCE OF 2,695.81 FEET; THENCE SOUTH 89°52'46" EAST, A DISTANCE OF 2,681.23 FEET; THENCE SOUTH 89°43'44" EAST, A DISTANCE OF 5,346.15 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

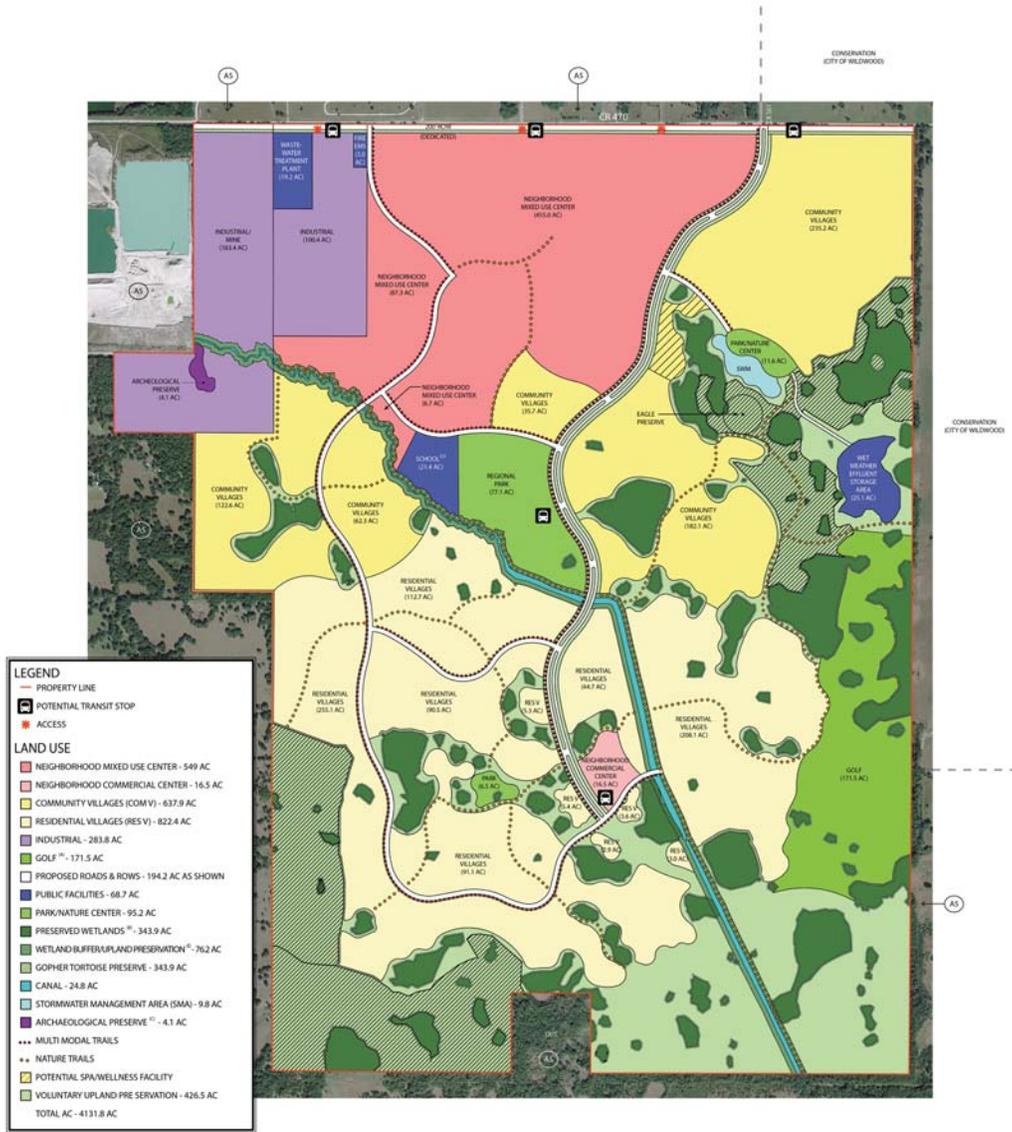
PARCEL B

THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 20 SOUTH, RANGE 23 EAST, SUMTER COUNTY, FLORIDA.

Altogether Containing 4,131.8 acres more or less.

Ordinance O2011-20  
Exhibit B  
Conceptual Development Plan

### III. Conceptual Development Plan



Landstone Communities DRI Phasing Plan

| Land Use             | Net Density/Intensity | Phase 1           | Phase 2             | Totals       |
|----------------------|-----------------------|-------------------|---------------------|--------------|
| Residential          | Min Avg 3-25 DU/AC    | 3,475 Units (43%) | 4,550 Units (57%)   | 8,025 Units  |
| Commercial/Retail    | Min 0.25 FAR          | 175,000 SF (27%)  | 477,500 SF (73%)    | 652,500 SF   |
| Office               | Min 0.25 FAR          | 60,000 SF (40%)   | 90,000 SF (60%)     | 150,000 SF   |
| Warehouse/Industrial | NA                    | 250,000 SF (50%)  | 250,000 SF (50%)    | 500,000 SF   |
| Hotel                | NA                    | 250 Rooms (100%)  | -                   | 250 Rooms    |
| Mine                 | NA                    | 230 Acres (100%)  | -                   | 230 Acres    |
| Golf Course*         | NA                    | 18 Holes (100%)   | -                   | 18 Holes     |
| Parks                | NA                    | 75 Acres (92%)    | 6.1 Acres (8%)      | 81.1 Acres   |
| Elementary School    | NA                    | 0 Students        | 650 Students (100%) | 650 Students |

\*The "Golf Course" land use may include (i) 18 holes of golf course with clubhouse and associated uses and or (ii) spa/wellness facility.

**Footnotes:**

<sup>1)</sup> The golf use will include customary ancillary uses including a clubhouse with supporting shops and restaurant facilities, driving range, maintenance center, cart storage plus other customary supporting uses. The final location of the golf course will be subject to final design with the ratio of golf acreage to the acreage of the adjacent upland preservation to be maintained. Golf is considered as an alternative land use and at the option of the developer, may be eliminated and converted to residential, storm water, and an appropriate amount of open space. The conversion of golf to residential will not increase the total of 8,025 residential units.

<sup>2)</sup> The location and extent of the preserved wetlands shall be subject to jurisdictional limits determination of the various permitting agencies.

<sup>3)</sup> The final location of the archeological site, if preserved, will be subject to field survey.

<sup>4)</sup> The School site is to be co-located with the regional park. The final location of the school shall be subject to the direction of Sumner County School Board.

<sup>5)</sup> Includes a 25' buffer between all developed parcels and adjacent properties.



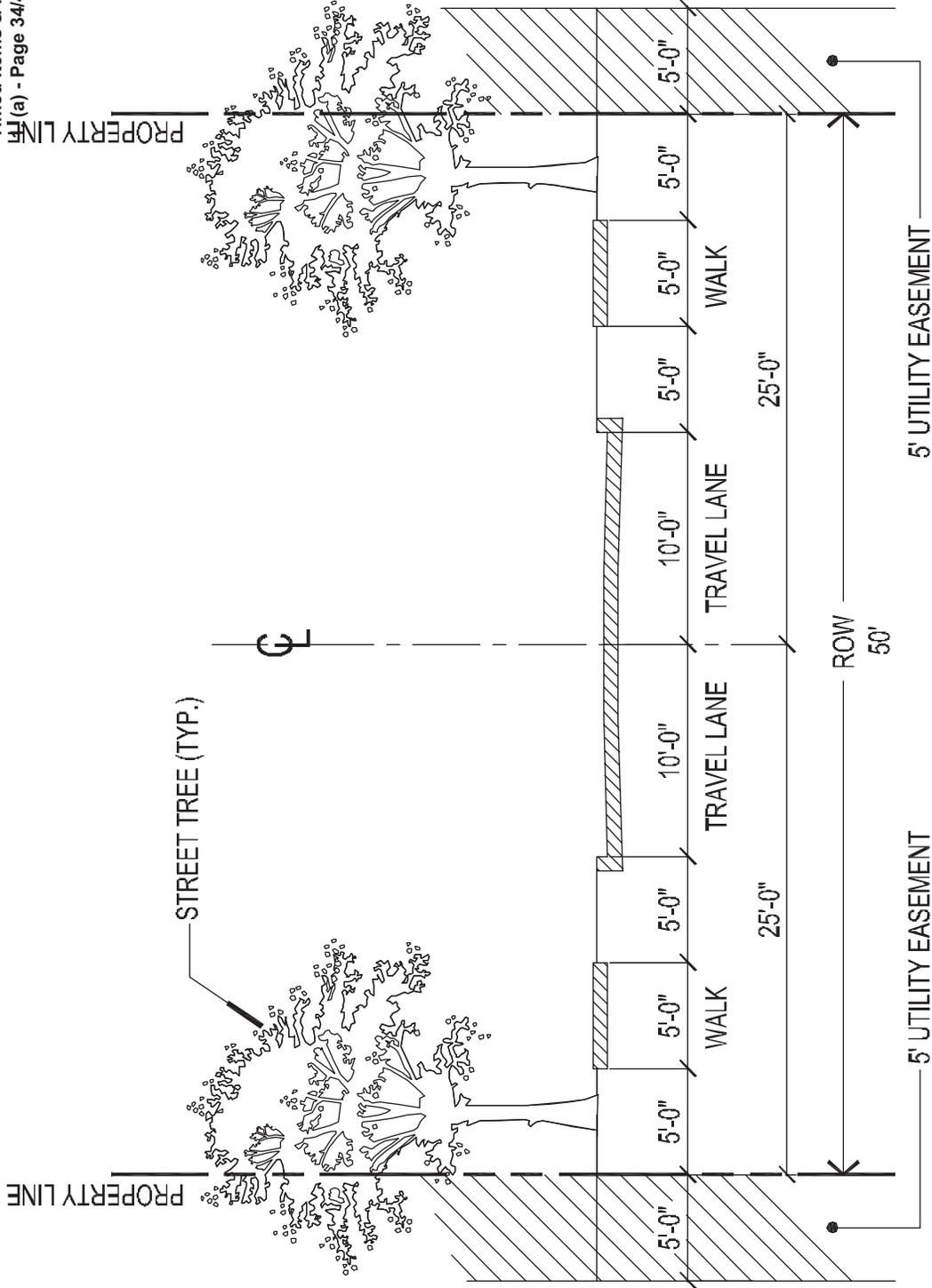
LANDSTONE COMMUNITIES PD

CONCEPTUAL DEVELOPMENT PLAN

AUGUST 2, 2011



Ordinance O2011-20  
Exhibit C  
Typical Road Cross-Sections

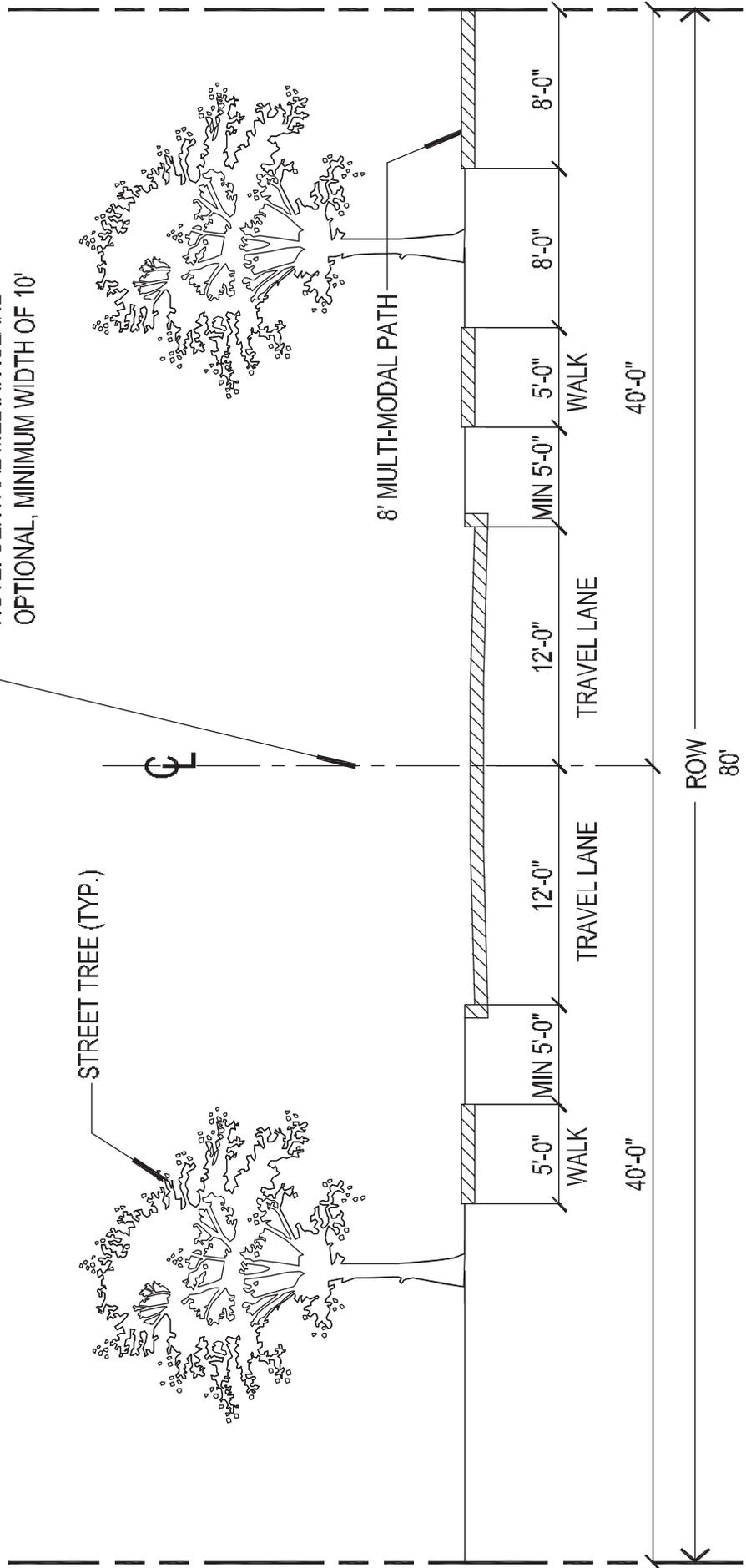


**LOCAL ROAD - RESIDENTIAL (50' ROW W/CURB & GUTTER) 10-19-11**

- 2' - 10' TRAVEL LANES
- 20' WIDTH OF PAVEMENT
- 5' WALKWAY (BOTH SIDES)
- 5' UTILITY EASEMENT (OUTSIDE ROW)

NOTE: THE MINIMUM DIMENSIONS ARE PROVIDED FOR ILLUSTRATION PURPOSE ONLY. THE WRITTEN TEXT SHALL PREVAIL OVER THE ILLUSTRATIONS WHERE INTERPRETATION IS REQUIRED.

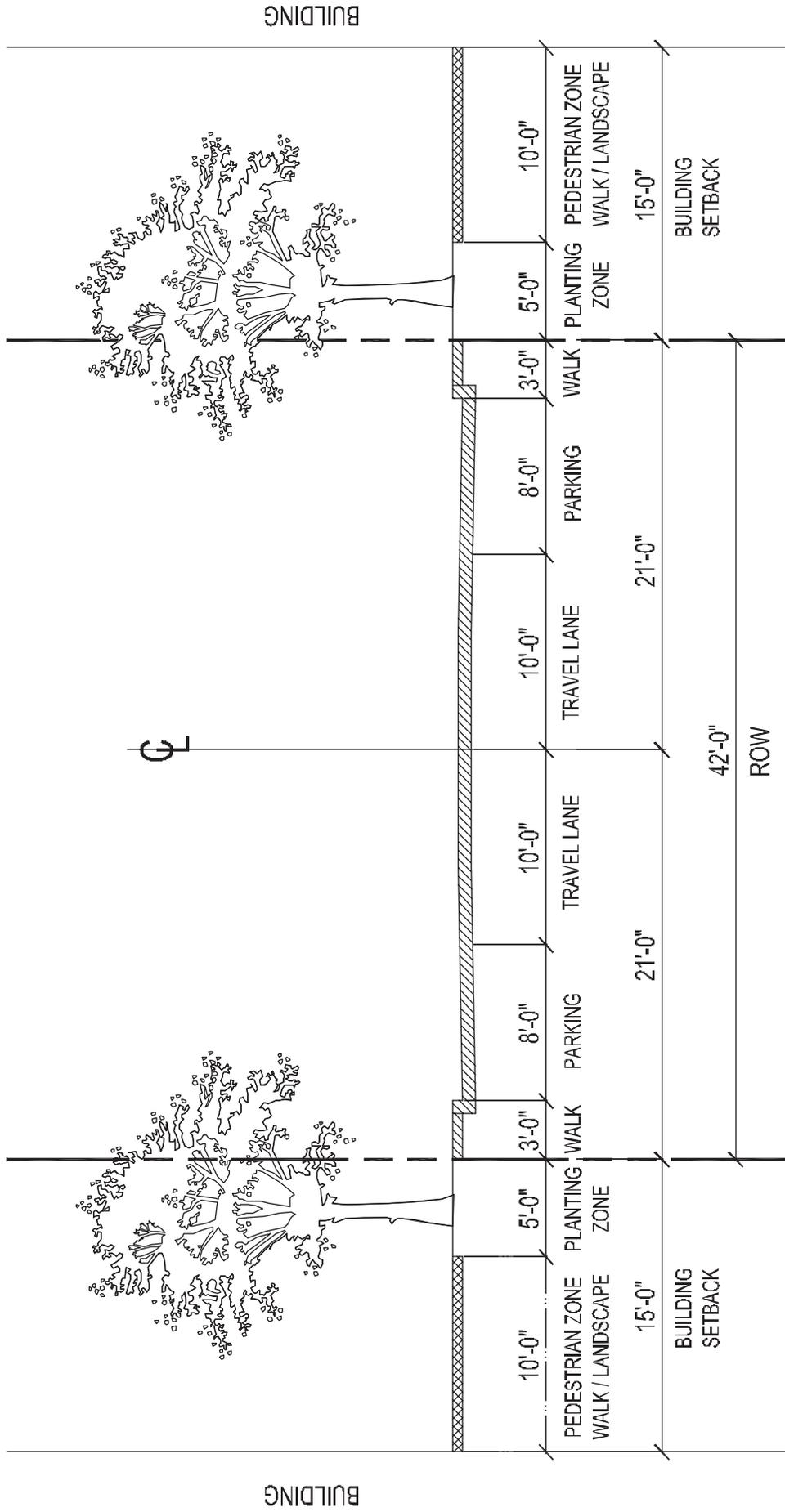
NOTE: CENTRAL MEDIAN ISLAND  
 OPTIONAL, MINIMUM WIDTH OF 10'



**RESIDENTIAL COLLECTOR (80' ROW) 10-19-11**

- 2' - 12' TRAVEL LANES
- 24' WIDTH OF PAVEMENT
- NO PAVED SHOULDER
- 5' WALKWAY (BOTH SIDES)
- 8' MULTI-MODAL PATH (ONE SIDE OF ROAD ONLY)

NOTE: THE MINIMUM DIMENSIONS ARE PROVIDED FOR ILLUSTRATION PURPOSE ONLY. THE WRITTEN TEXT SHALL PREVAIL OVER THE ILLUSTRATIONS WHERE INTERPRETATION IS REQUIRED.



**LOCAL ROAD - NEIGHBORHOOD MIXED-USE CENTER (42' ROW)**

- 2 - 10' TRAVEL LANES
- 8' STREET PARKING (BOTH SIDES)
- 36' WIDTH OF PAVEMENT
- NO PAVED SHOULDER
- 10' PEDESTRIAN WALK (BOTH SIDES)

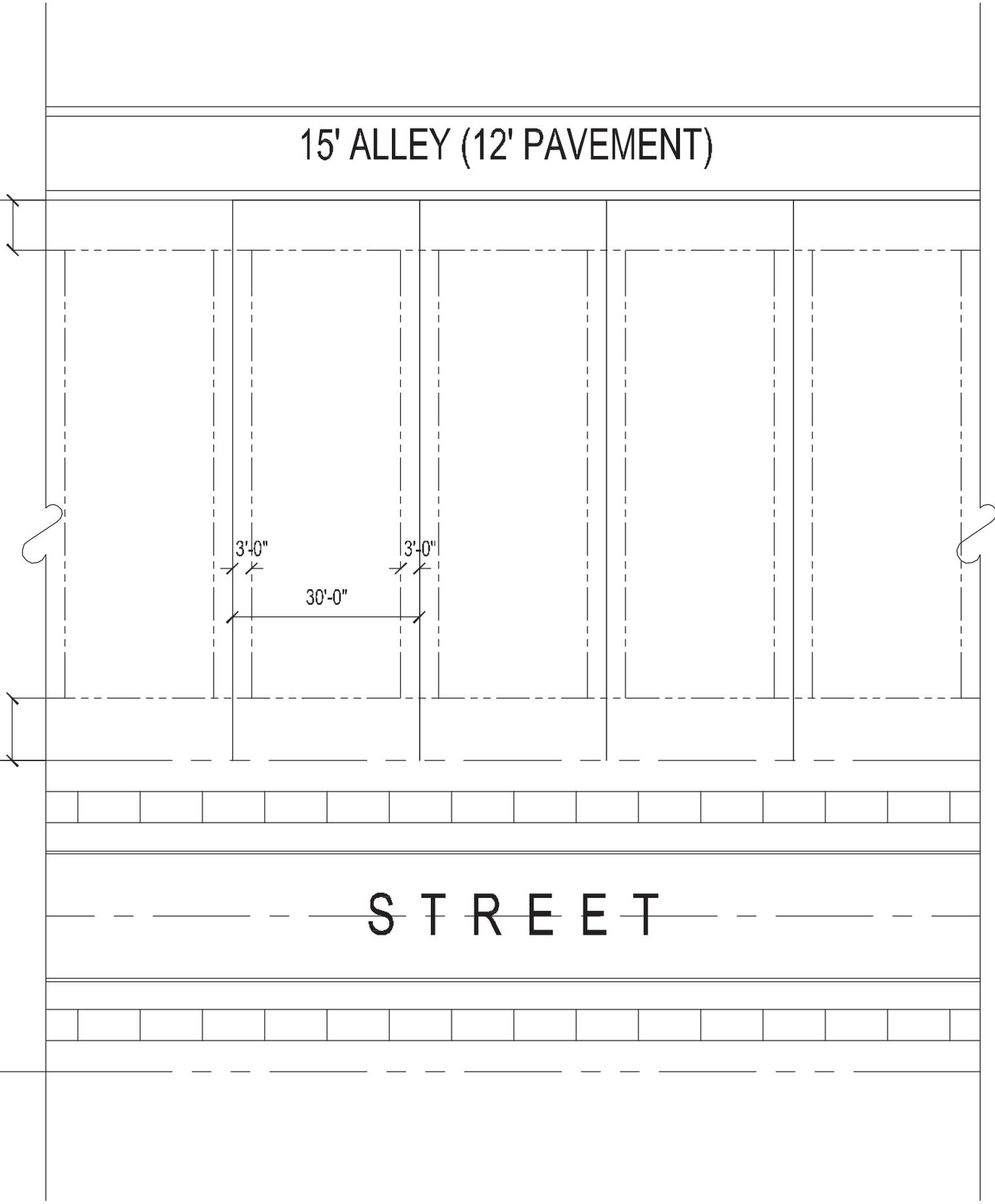
NOTE: THE MINIMUM DIMENSIONS ARE PROVIDED FOR ILLUSTRATION PURPOSE ONLY. THE WRITTEN TEXT SHALL PREVAIL OVER THE ILLUSTRATIONS WHERE INTERPRETATION IS REQUIRED.

Ordinance O2011-20  
Exhibit D  
Typical Lots (Minimums)

3' SIDE YARD SETBACK  
8' REAR SETBACK

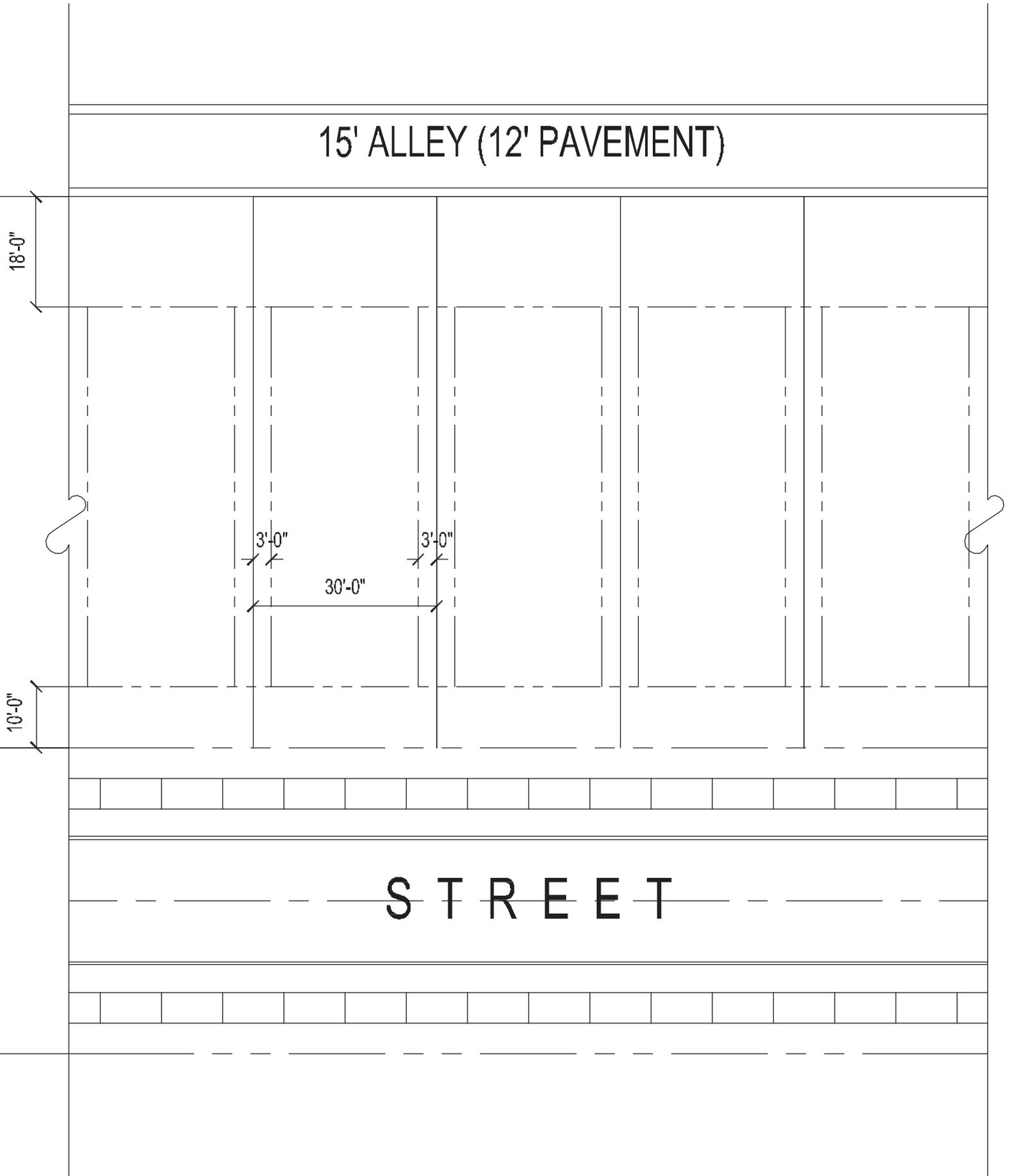
INTERPRETATION IS REQUIRED.

15' ALLEY (12' PAVEMENT)

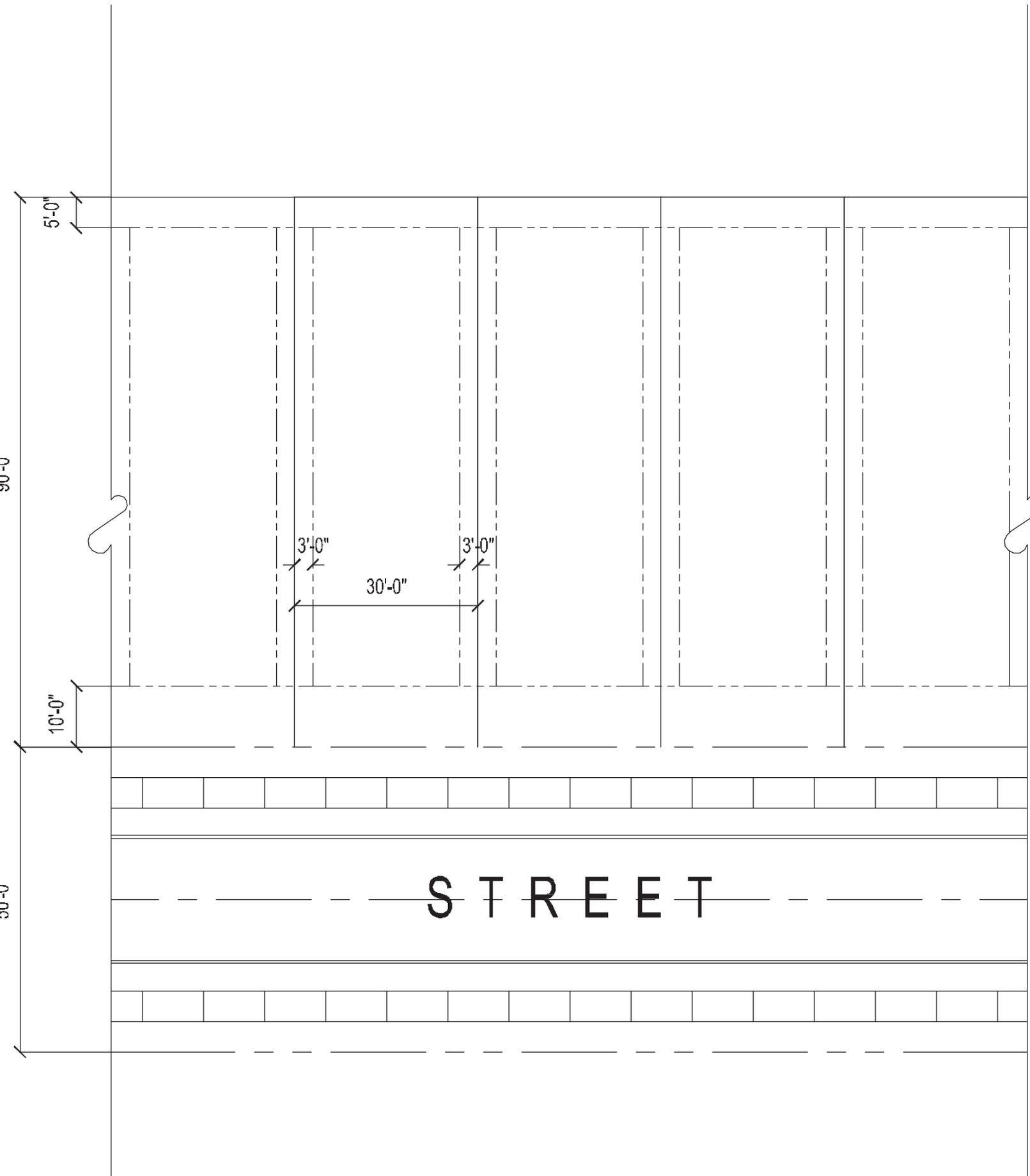


3' SIDE YARD SETBACK  
18' REAR SETBACK

INTERPRETATION IS REQUIRED.



5' REAR SETBACK



15' ALLEY (12' PAVEMENT)

8'-0"

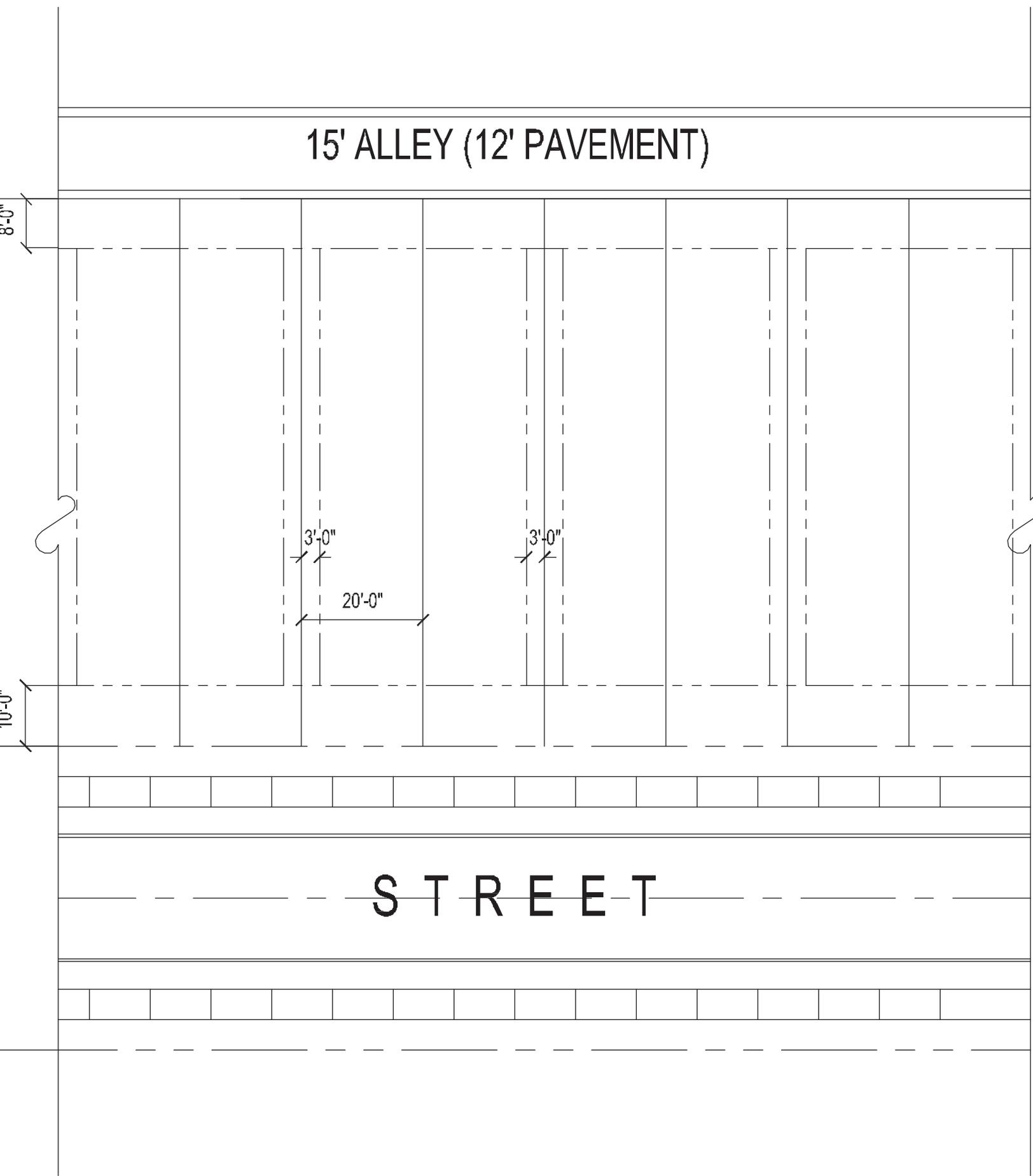
10'-0"

3'-0"

3'-0"

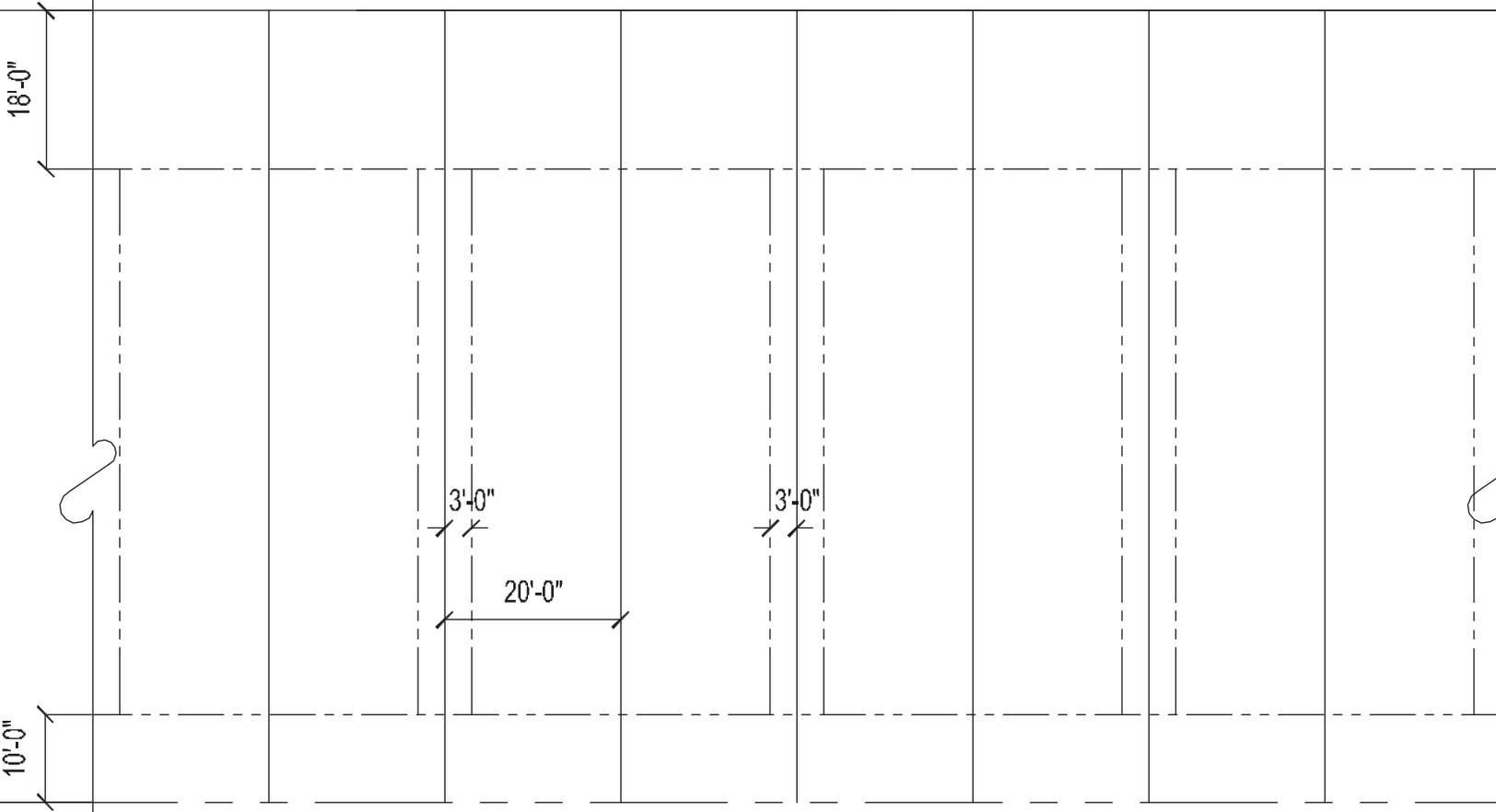
20'-0"

S T R E E T

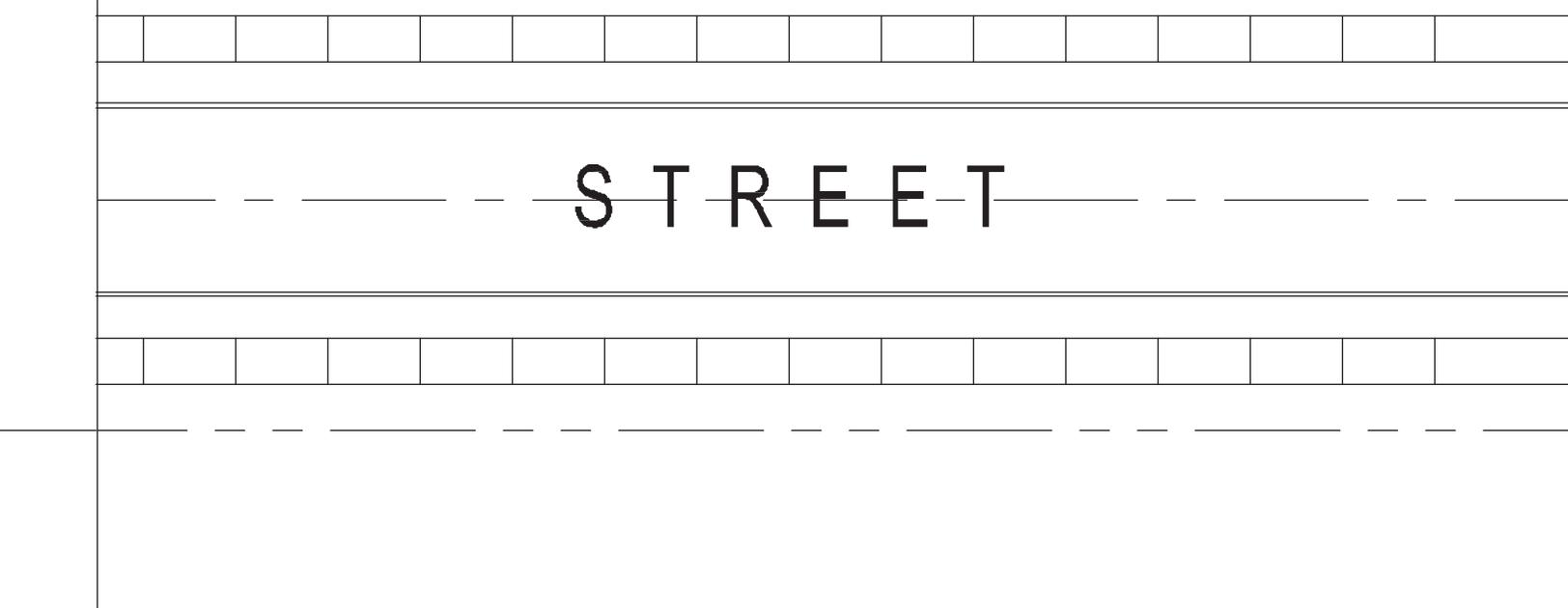


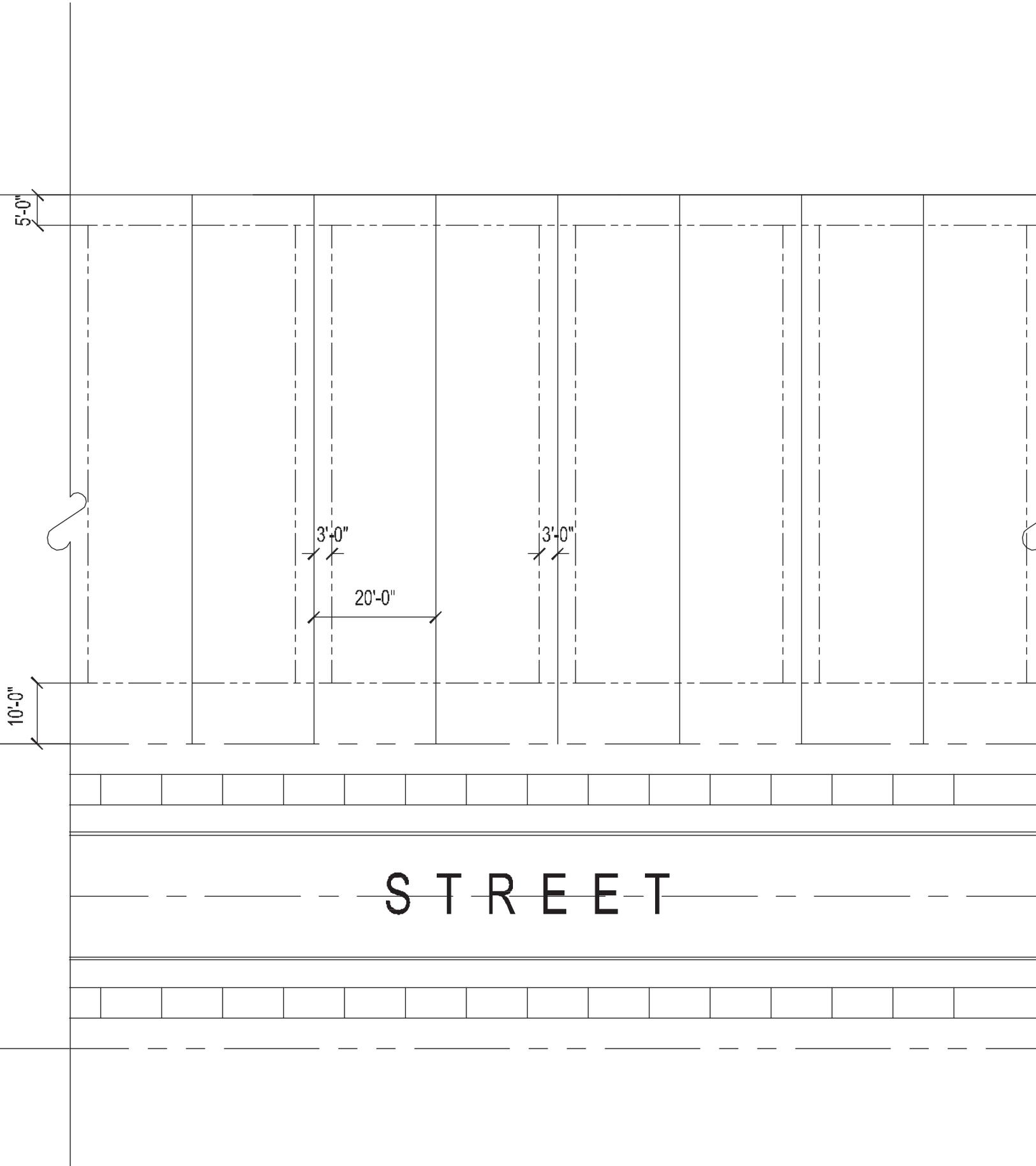
15' REAR SETBACK

15' ALLEY (12' PAVEMENT)



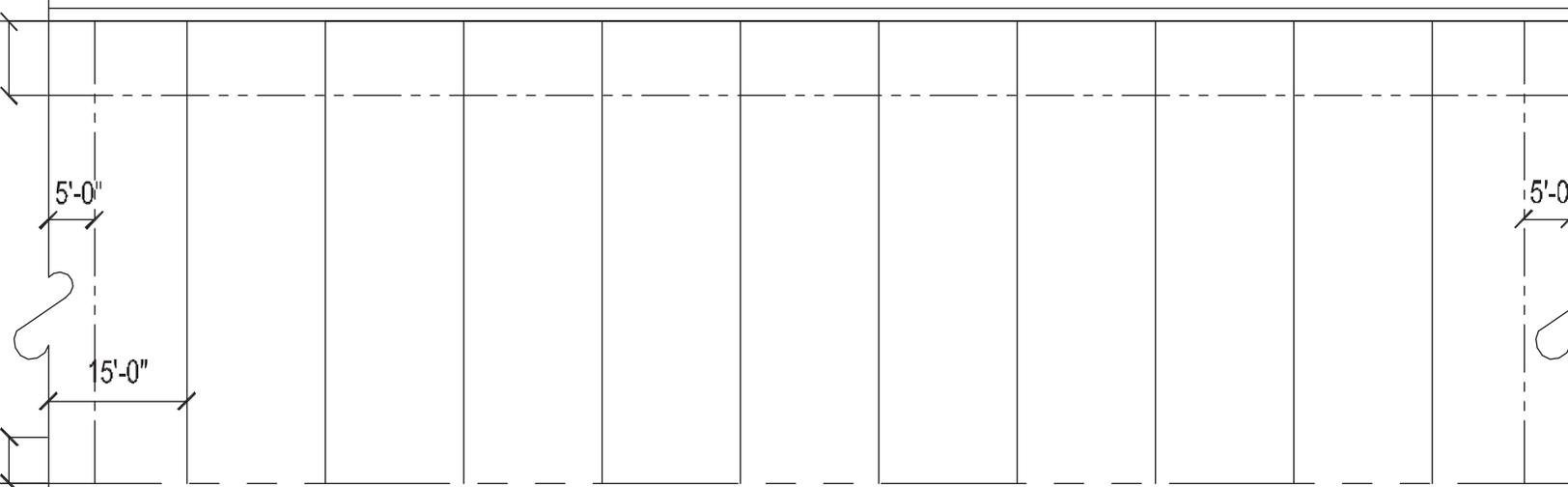
S T R E E T



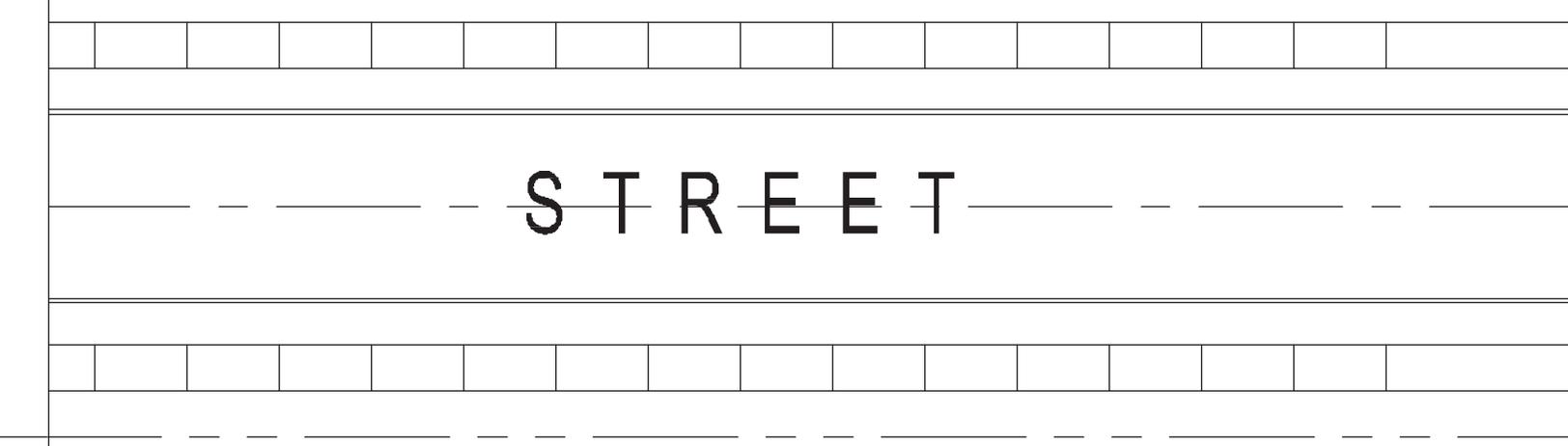


8' REAR SETBACK

15' ALLEY (12' PAVEMENT)

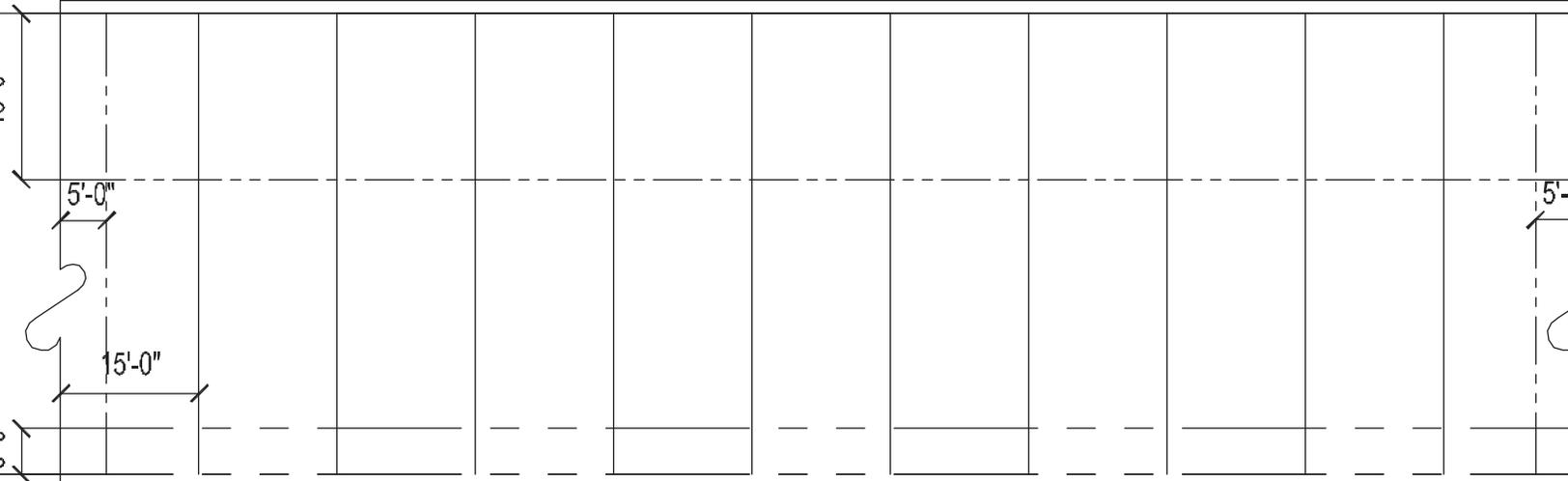


S T R E E T



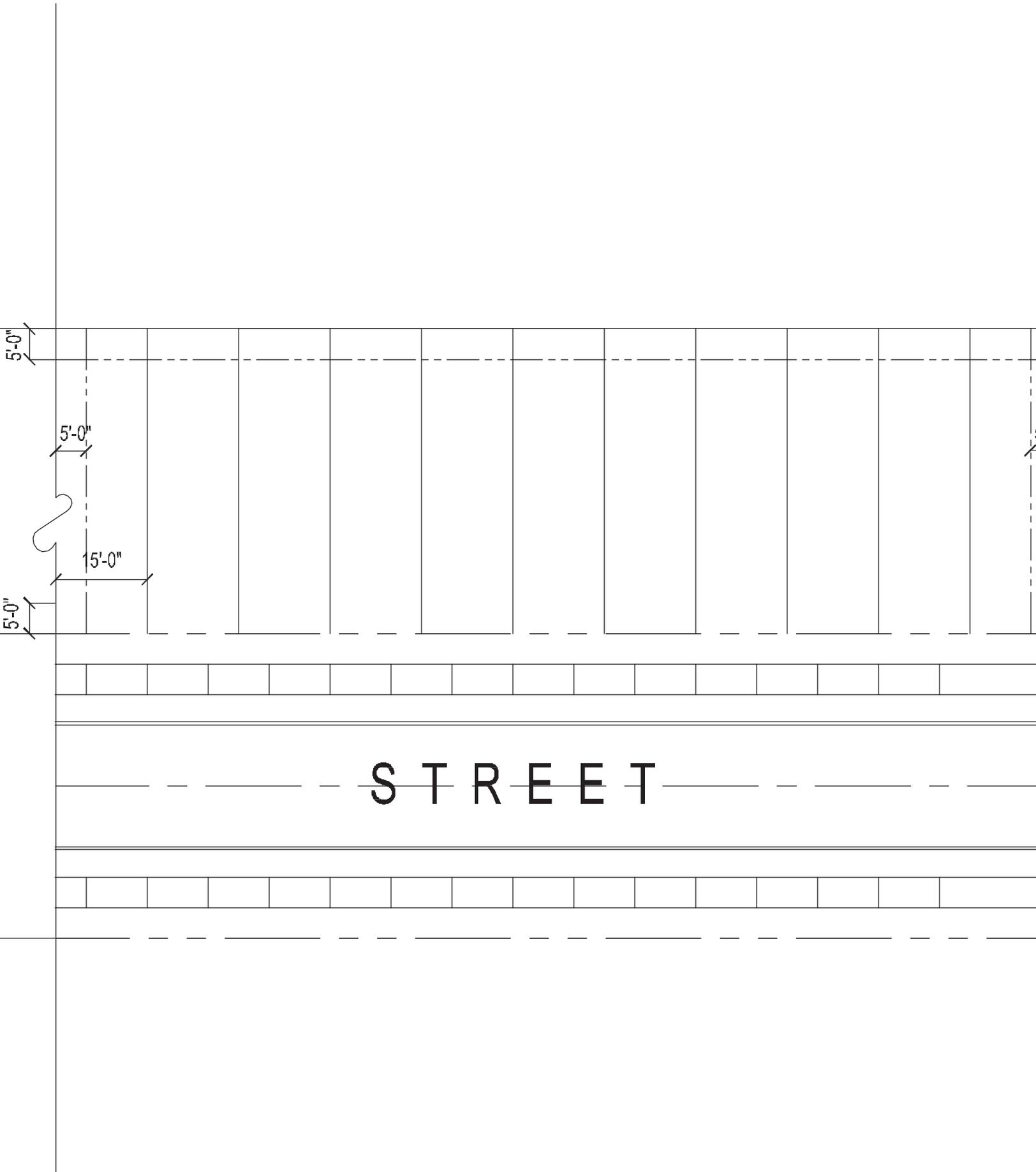
18' REAR SETBACK

15' ALLEY (12' PAVEMENT)



S T R E E T





S T R E E T

## 2. REPORTS AND PUBLIC INPUT

- SPECIAL PRESENTATIONS: None

(a) CITY MANAGER:

NOTES: (2.f.)

None

REPORTS: (2.f.)

(See “f” below)

(b) CITY ATTORNEY:

(1)

(c) CITY CLERK:

(1)

(d) COMMISSION MEMBERS:

(1)

(e) PUBLIC FORUM:

(1)

(f) NOTES/REPORTS/FILED ITEMS:

CITY MANAGER (2.a.f.):

1. FYI – Fourth Quarter 2011 Public Works Department Report from Gene Kornegay, PWD (Attachments)
2. FYI – New traffic signal at SR44/Powell Rd/Signature Drive Intersection operational as of Jan. 3, 2012 (Attachment)
3. FYI - Police Department's new Police Chaplain Program (Attachments)
4. FYI – Water Department FDEP Sanitary Survey Report (Attachments - Informational Only)

City of Wildwood  
Public Works Department  
410 Grey Street  
Wildwood, Florida 34785  
Phone: 352-330-1343 Fax: 352-330-1353



# Memo

**To:** Joseph Jacobs  
**From:** Gene Kornegay  
**Cc:** Commission  
**Date:** 1/3/2012  
**Re:** Quarterly Report for Public Works

This is a brief summary of special duties that we have accomplished this quarter (October, November and December 2011).

Road repairs were made on:

|                                |                |                    |
|--------------------------------|----------------|--------------------|
| Liberty Court (for Water Dept) | Gray & High St | Orange & Peel St   |
| Mill St                        | Jackson Ave    | Lawrence St        |
| Legion & South St              | CR 214         | CR 202             |
| Kilgore                        | Palmer         | Osceola & Gray     |
| Barwick & Gray                 | St Clair St    | Stanley & Magnolia |
| Powell St                      | Clyde          | Legion & Park      |

Tree trimming and cutting back right-of-way were done on:

|                           |                     |                    |
|---------------------------|---------------------|--------------------|
| Clay Drain Road           | Lemon               | Peel               |
| Powell & Jarrel to Lee St | Lime                | Powell & Cleveland |
| King Park Court           | Denham St           | CR 209 north       |
| Police Dept               | Stone & Jackson     | 44 & Old Wire Rd   |
| Lee & Missouri            | Crestview N & Ridge | Lee                |
| Masters & Magnolia        | Jarrell & CR 136    |                    |
| Orange & York             | Barwick & Gamble    |                    |

Street shoulder cut back and signs

Tree removal on South 301 (for Parks N Rec)

Tree limb removal at 4<sup>th</sup> and Pine

Tree removal at Mill. Park

Cut up and hauled off pine tree on CR 114

Moved desks at City Hall while ceiling was being repaired

Repaired toilet at City Hall and Parks N Rec.

Repaired sink at City Hall

Repaired leaking sink and urinal at the Police Dept.

Corrected smell in Police Dept. kitchen

Repaired front door at the Police Dept.

Repaired storm grate at Peters St.

Repaired sprinklers at cemetery

Replaced County Road Signs (CR 214 to Hwy 301)

Replaced City Signs (Orange, Stanley, Coburn)

Repaired concrete sidewalk at City Hall

Put in handicap sidewalk entrance at Barwick & Gamble St., Huey St.

Replaced Christmas lights in fixtures

Put up Christmas lights around the City

Hung wreaths on decorative poles at City Hall

Cleaned up metal at MLK Park

Raised up Mission, Stanley, Oak St., Judy Lane, Oxford St, Gamble to Old Wire, Mason

Hot patched (for Water Dept.) CR 468

Installed grower market banners

Repaired concrete driveway on Curry St (for Water Dept.)

Cleaned out storm drains

Pumped out retention ponds

Worked Halloween and Christmas parades.

Burned at Wood Waste

Mowed and disc the Rib Site

Drove sludge truck for Wastewater for 4 days

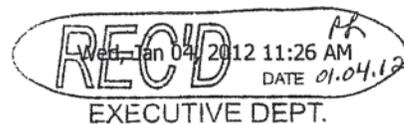
Weekly washing of city vehicles

Weekly street sweeping

Working the Grower's Market.

We are maintaining 60 plus miles of right-of-way mowing.

**From :** Joseph Jacobs <jjacobs@wildwood-fl.gov>  
**Subject :** Fwd: Section 18070 - New Traffic Signal Turn-on  
**To :** Pam Law <plaw@wildwood-fl.gov>



PAM:

Please document this info in reports filed.

Thanks

Joseph

---

**From:** "Bradley Arnold" <Bradley.Arnold@sumtercountyfl.gov>  
**To:** "@County Commissioners" <CountyCommissioners@sumtercountyfl.gov>  
**Cc:** jjacobs-wildwood@cfl.rr.com  
**Sent:** Tuesday, January 3, 2012 3:32:56 PM  
**Subject:** FW: Section 18070 - New Traffic Signal Turn-on

The New Traffic Signal for SR 44 at Powell Rd/Signature Drive in the Sumter County was put into operation on 1/3/2012 at 10:30am.

Section 18070  
MP 13.118

Traffic Signal Type 02 (Intersection Control)

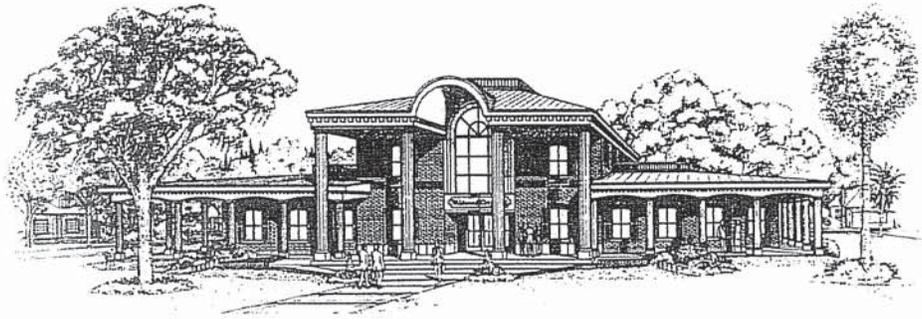
Traffic Signal Structure Type 03 (Concrete Strain Pole) Box Span

Thanks,

Jim

Jim Stroz, P.E.  
Assist. District Traffic Ops. Engineer  
District 5  
386-943-5312  
386-736-5349 (Fax)

*City of  
Wildwood,  
Florida*



**DATE: January 5, 2012**

**TO: Mayor / Commissioners**

**FROM: E.W. Reeser, Chief *(Signature)***

**RE: Chaplain Program**

---

Three years ago when you placed me in charge of your Police Department, there were several items on my one, three and five year goals. One of the goals was to establish a Chaplain Program in the Police Department. At this point, we have established a policy, an application process and will soon have personnel in the Chaplain program. We are currently accepting applications. The Chaplains will be volunteers, with guidelines and policies to abide by. It is the intent to utilize the program to provide a spiritual guide to the personnel when requested, counseling for the personnel, utilized in crisis and death notifications and to establish a network system with the Police Department, the community and the Church affiliations in the area. Policies are in place to prevent the program to be utilized to promote a specific religion or place of worship. Currently we plan on having five Chaplains in the program consisting of the most diverse personnel as possible. This number may vary depending on the participation and the needs.

**CITY OF WILDWOOD  
EXECUTIVE SUMMARY**

**SUBJECT:** Water Department – FDEP Sanitary Survey Report  
**REQUESTED ACTION:** No Formal Action required Informational Purposes

Work Session (Report Only)  
 Regular Meeting

**DATE OF MEETING:** January 9, 2012  
 Special Meeting

**CONTRACT:**  N/A  
Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_  
Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_  
Utility Department - Water

**BUDGET IMPACT:** N/A

Annual  
 Capital  
 N/A

**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

---

**HISTORY/FACTS/ISSUES:**

On October 26, 2011 representatives of the Florida Department of Environmental Protection (FDEP) along with City staff, conducted a survey of all of the City's water treatment facilities. Attached, please find a copy of the report received on December 7, 2011. Pages 10 & 11 of the report list the deficiencies observed and noted by the FDEP inspectors. The deficiencies noted are minor and pose no threat to the water system.

The deficiencies at the Prison Plant, West Well, Repump Station, Fairways and Huey Street are being corrected by staff. The goal is to have all of these corrected by the end of January, 2012.

The deficiencies at the Okahumpka Service Plaza are more major. Presently the City is negotiating with the Turnpike authority to take this facility out of service and have a meeting with the Turnpike staff on January 11, 2012. Staff plans no remedial action until these negotiations are complete, although staff has discussed the security issue with the Plaza manager and he has assured us the gates will remain locked.

Bruce H. Phillips, PE, PLS  
Utility Director



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

December 7, 2011

Mr. Bruce Phillips  
City of Wildwood  
100 North Main Street  
Wildwood, FL 34785  
[bphillips@wildwood-fl.gov](mailto:bphillips@wildwood-fl.gov)

Re: Sanitary Survey Report  
City of Wildwood  
PWS-ID No. 660-0331  
Sumter County

Dear Mr. Phillips:

Enclosed please find a copy of the Sanitary Survey Report for the above-referenced potable water system. On the second page of the report you will find a list of deficiencies that were noted during the recent inspection, along with recommended corrective action.

You are requested to correct all listed deficiencies, as recommended, and to notify this office within 30 days, in writing, of your action.

If you have any questions or concerns, please contact me at, (813) 632-7600, extension 460 or email me at, [jim.berghorn@dep.state.fl.us](mailto:jim.berghorn@dep.state.fl.us).

Sincerely,

  
James Berghorn  
Environmental Specialist  
Drinking Water Section

JB/dsm

Enclosure

cc: Mark Odell - [modell@wildwood-fl.gov](mailto:modell@wildwood-fl.gov)

### **3. NEW BUSINESS – ACTION REQUIRED**

#### **a. MINUTES**

1. Minutes of Regular Meeting held on December 12, 2011 (Attachments – Staff recommends approval)

#### **b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)**

1. Ordinance No. O2012-02; An ordinance requiring any and all animals brought on City property to be on a leash (Attachments – Staff Recommends Approval)
2. Ordinance No. O2012-03; An ordinance providing for control of remote control planes within city limits (Attachments – Staff Recommends Approval)
3. Ordinance No. O2012-04; An ordinance amending Ordinance numbers 212, 303 and O2010-06 and section 19-30, City Of Wildwood Code; providing for application of base utility rates; providing for application of metered rates based upon consumption (Attachments – Staff Recommends Approval)

#### **c. RESOLUTIONS FOR APPROVAL:**

1. Resolution No. R2012-01; A resolution opposing proposed legislation that modifies, restricts or eliminates the authority of municipalities to levy, collect and/or expend the communication services tax and the local business tax (Commissioner Allen to address) (Attachments – Staff Recommends Approval)
2. Resolution No. R2012-02; A resolution extending Resolution No. R2011-05, placing a moratorium of permitting internet cafes or entities providing game promotions for a period of six months (Attachments – Staff Recommends Approval)

#### **d. APPOINTMENTS**

1. None

#### **e. CONTRACTS AND AGREEMENTS**

1. None

#### **f. FINANCIAL**

1. Bills for Approval (Attachments – Staff Recommends Approval)
2. Request by Chief Reeser to deposit confiscated cash in the amount of \$1,568.71 received as evidence and forfeiture of property into the Law Enforcement Trust Fund (Attachments – Staff Recommends Approval)

#### **g. GENERAL ITEMS FOR CONSIDERATION**

1. Schedule a workshop meeting to discuss potential changes to the Comprehensive Plan, Land Development Regulations and Design Standards; proposed dates are January 17<sup>th</sup> or 18<sup>th</sup> (Attachments – Board Option)
2. Schedule Special Called Meeting to select top five applicants to interview for City Manager position (Attachments – Board Option)
3. Request by Gidget Gibson to re-establish the Wildwood Area Historical Association to operate as in the past in addition to space for storage of items collected for historical documentation (Attachment – Board Option)
4. Discussion/Approval of request by Cecelia Bonifay with Akerman Senterfill to extend Landstone-Wright, LLC DRI for a period of four years and ten month per Section 494 of Chapter 2011-142 and Section Chapter 2011-139, Laws of Florida (Attachments – Staff Recommends Approval)
5. Discussion/Approval of request by Dean Barberee with Reader & Partners, LLC to extend Wildwood Springs DRI for a period of four years and ten month per Section 494 of Chapter 2011-142 and Section Chapter 2011-139, Laws of Florida (Attachments – Staff Recommends Approval)
6. Discussion/Approval from Dean Barberee with Reader & Partners, LLC to extend Wildwood Springs PD for a period of four years and ten month per Section 380.06(19)(c) 2 and Section 252.363, Florida Statutes (2011) (Attachments – Staff Recommends Approval)
7. Discussion/Approval of request by Lenard Powell to trade/purchase City-owned property, a portion of parcel ID G08=018 which is contiguous to property he owns, generally located to the north of the intersection of Powell Rd. and CR 44A (Attachments – Board Option/Direction to Staff)

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA  
REGULAR MEETING  
DECEMBER 12, 2011 – 7:00 P.M.  
CITY HALL COMMISSION CHAMBER

The City Commission of the City of Wildwood, Florida met in Regular session December 12, 2011 at 7:00 p.m.

Present were: Mayor Wolf, Commissioners Bivins, Allen and Strickland. Also present were: Interim City Manager Jacobs, City Attorney Blair, Assistant City Clerk Roberts, Police Chief Reeser, Development Services Director Peavy, Parks & Recreation Coordinator Hargrove, Utility Director Phillips, Human Resource Coordinator Cox and AVT Law. Commissioner Clark was out due to illness.

The meeting was called to Order followed by an invocation and Pledge of Allegiance to the American Flag.

1. TIMED ITEMS AND PUBLIC HEARINGS

a. PUBLIC HEARING – 2nd FINAL READING Ordinance No. O2011-18 – A request for amendment to Ordinance #622 concerning the PUD zoning on the Wildwood Springs development as outlined in this ordinance No. O2011-18 (Attachments – Staff Recommends Approval) (quasi-judicial hearing)

Ordinance O2011-18 was introduced and read by title only. DSD Peavy and Dean Barbarree were sworn in.

DSD Peavy reported this Ordinance brings the PUD zoning on the Wildwood Springs development into compliance with DCA's ARDO. Opened for Public Hearing. No comments received.

Motion by Commissioner Bivins, second by Commissioner Allen that Ordinance No.O2011-18: An Ordinance Of The City Of Wildwood Granting A Request For A Planned Development Pursuant To Section 8.6 Of The Land Development Regulations; For Certain Property Within The City Of Wildwood, Florida; Owned By Wildwood Springs, LLC; Providing For Severability; Providing For Codification; And Providing For An Effective Date: be adopted on second final reading. Motion carried by unanimous vote.

b. TIMED ITEM Discussion/Request for approval of SP 1104-01 Final Plat for Oxford Professional Park subject to the Declaration of Covenants and Restrictions to be recorded with the subject plat (Attachments – Staff Recommends Approval)

DSD Peavy noted that the plat copy included in the packet includes the existing IMRT Center. The remainder of the plat has the additional lots. When the site was designed, it shared the parking and utilities.

Motion by Commissioner Allen, second by Commissioner Bivins that SP1104-01 Final Plat Oxford Professional Park be approved subject to the Declaration of Covenants and Restrictions to be recorded with the subject plat. Motion carried by unanimous vote.

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c. TIMED ITEM Request for SP 1103-03 Site Plan approval for a 191 bed Independent Living Facility (ILF) (Providence ILF) in the Turkey Run zoning district, with Development Master Plan by Providence One Partners and based on the P&Z Board/Special Magistrate's favorable recommendation subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction (Attachments – Staff Recommends Approval)

DSD Peavy reported that SP 1103-03 went before the Special Magistrate December 6, 2011. Commissioner Allen asked if any changes are planned for CR 462. DSD Peavy indicated none are required of the developer, however the County does have plans for improvements to CR 462.

Motion by Commissioner Allen, second by Commissioner Strickland to approve SP 1103-03 for a 191 bed Independent Living Facility (ILF) (Providence ILF) in the Turkey Run zoning district, with Development Master Plan by Providence One Partners and based on the P&Z Board/Special Magistrate's favorable recommendation subject to approval, exemption or permitting of the project by all agencies of competent jurisdiction. Motion carried by unanimous vote.

## 2. REPORTS AND PUBLIC INPUT

- SPECIAL PRESENTATION: Deanna Cox, Human Resources to present City Manager recommendations from ICMA (Packets to be presented to Mayor/Commission at meeting)

ICM Jacobs reported that all the background research has not been completed on the top eight applicants the Range Riders selected. HRC Cox asked whether the Commission would want the binders to begin review without the background research, or wait until the research is complete on the remaining three of the eight. Mayor Wolf noted his preference would be to wait and schedule a workshop to review them. Commissioner Allen suggested that if a workshop is held the Commission might want to look at all 24. Commission asked that the research be completed on the eight and provided along with copies of the remaining applications to the Commission for review at a workshop.

ICM Jacobs noted that the previous direction of the Commission has been followed to this point and any change would have to come from the Commission. CA Blair noted that if the Commission was not going to follow the original procedure, then the Commission should look at all of the applications, so that no one can complain. Mayor Wolf noted that he would like to get someone who is working and is successful in a City. HRC Cox to provide the packets to the Commission Friday for review over the weekend.

By Common Consent the Commission scheduled a Workshop for Wednesday, December 21 at 6 p.m.

- a. City Manager
  - 1) FYI – Combined Employee & Volunteer Banquet Date set for: Friday, January 13, 2012 at 7:00 p.m. (No Attachments)

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2) FYI - Budget Analysis Report for November 2011 (Attachments)

ICM Jacobs referred to the Notes which outline expenditures that have taken place in the first two months of the fiscal year, some of which would normally be spread over several months.

3) FYI – Wildwood Springs Community Development Notice of Public Hearing on February 14, 2012 at 11 a.m. at the Wildwood Community Center to adopt proposed Budget for 2012 (attachments)

ICM Jacobs – noted this is a requirement of Wildwood Springs Community Development. Mayor Wolf noted this is the first CDD in the City.

4) Reported that he would be on starting Tuesday after the Monday Christmas holiday until after new year.

b. City Attorney – none

c. City Clerk – none

d. Commission Members

1) Request by Wildwood Community Development, Inc. for Scrap Metal Items in MLK Park (Attachment – Commissioner Allen to address – Board Option)

Commission had questions about legality. P&RC Hargrove expressed concern regarding liability of persons going onto City property and being injured in the process of removing the items, would also like to have information on where the money goes. It is supposed to go toward MLK Day events.

By Common consent the Commission approved for CA Blair to draft a contract, once she is assured it is legal.

2) Commissioner Bivins commended Jason Hargrove on a job well done as the Parks & Recreation Coordinator, and that things turned around for recreation when he was hired.

3) Mayor Wolf requested that P&RC position discussion be added to the December 21 workshop. Noted it is tough for a person to handle scheduling and coming up with new recreation events while overseeing the planting of the flowers and maintenance of the ball fields. Perhaps there is a way to split this up and perhaps Jason has some suggestions. Perhaps the person who schedules and brainstorms and tries to put together these new things doesn't need to be a full time position. Then pay someone a little more that is a competent person doing all the ball fields. In response to a question from ICM Jacobs, HRC Cox indicated that three applications have been received and it closes on Friday.

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- e. Public Forum (10 minute time limit)
  - 1) Robert Hannah, Wildwood Community Development Inc. Commended Jason Hargrove and expressed how proud he was to have served on the Parks & Recreation Committee under Jason. Told the Commission they made a wise choice when he was hired.
- f. Notes, Reports, and items for the file as attached

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Minutes of Regular Meeting held on November 14, 2011 (Attachments – Staff recommends approval)
- 2) Minutes of Regular Meeting held on November 28, 2011 (Attachments – Staff recommends approval)

Motion by Commissioner Allen, second by Commissioner Bivins to accept the Minutes of November 14 and November 28 as typed. Motion carried by unanimous vote.

b. ORDINANCES FIRST READING ONLY (READ ONLY – NO VOTE)

- 1) Ordinance No. O2011-20 an ordinance amending a zoning map amendment from Agricultural-10 (AG-10) to “Planned Development” (PD) zoning on the Landstone development based on accepting the P&Z Board/Special Magistrate's favorable recommendation (Attachments – Staff recommends approval)

Ordinance O2011-20 was introduced and read by title only on first reading.

DSD Peavy – reported this ordinance would bring Landstone into compliance with their Restated Development Order and their Land Use.

c. RESOLUTIONS FOR APPROVAL: None

d. APPOINTMENTS: None

e. CONTRACTS AND AGREEMENTS

- 1) Discussion/Approval of Hawk Landing Transportation Proportionate Share Agreement requiring Developer's payment of \$17,000 prior to build-out of project for the project's impacts to the C-466/US 301 intersection improvement (Attachments – Staff Recommends Approval)

DSD Peavy – The Commission has approved the Site Plan for Hawk Landing. The approved Site Plan stipulates that improvements to County Road 466 and 301 intersection are required to mitigate the transportation impact of the project. The \$17,000 will be paid to Sumter County through the agreement in the packet. The developer will receive impact fee credits for that.

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Motion by Commissioner Strickland, second by Commissioner Allen to approve the Hawk Landing Transportation Proportionate Share Agreement. Motion carried by unanimous vote.

f. FINANCIAL

1) Bills for Approval (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Allen to pay the bills. Motion carried by unanimous vote.

g. GENERAL ITEMS FOR CONSIDERATION

1) Discussion/Approval for Wildwood Community Development, Inc.'s request for \$2000 annual contribution to hold a MLK Day Parade and use MLK Park for a Special Event on Monday, January 16, 2012 from 9 AM – 8 PM (Attachments – Staff Recommends Approval)

ICM Jacobs reported that the \$2000 was budgeted for the MLK event. Noted that in the past the check was made to BW City Ministries as the sponsor, but the Wildwood Community Development Inc. is a 501c organization.

Motion by Commissioner Allen, second by Commissioner Bivins to grant the request for \$2000 annual contribution to hold a MLK Day Parade and use MLK Park for a Special Event on Monday, January 16, 2012 from 9 AM – 8 PM. Motion carried by unanimous vote.

2) Discussion/Approval for Mayor to execute the pre-application documents for new \$123,000 USDA Federal Assistance Community Facilities matching funds grant for the purchase of three new Police vehicles and the equipment to equip them; City match is \$30,750 (25%) & USDA covers \$92,250 (75%) (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to authorize execution of the pre-application documents for \$123,000 USDA Federal Assistance Community Facilities. Motion carried by unanimous vote.

3) Request from H. Lewis Kellom, Executive Director of Homes in Partnership for a letter of support from the City of Wildwood to include with a Technical Assistance Grant they are applying for through the USDA Rural Housing Agency (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Strickland to provide a letter of support for HIP to include with a Technical Assistance Grant they are applying for through the USDA Rural Housing Agency. Motion carried by unanimous vote.

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- 4) Discussion/Approval of request from Oxford Crossings for a two-year PUD Extension (Attachments – Staff Recommends Approval)
- 5) Discussion/Approval of request from Wildwood Crossings for a two-year PUD Extension (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the request from Oxford Crossings for a two-year PUD Extension and from Wildwood Crossings for a two-year PUD Extension. Motion carried by unanimous vote.

- 6) Discussion of potential development on the 301/466, LLC property (O'Dell North) by Mid-Florida Properties, LLC (Attachments)

DSD Peavy referred to the Executive Summary provided to the Commission noting that the development group does not feel they can work through the issues that came up during meetings with staff and still have a feasible development on the 301/466, LLC property. The current zoning is mixed use and would require a PUD and Land Use does not provide for strictly residential which the group is requesting. This is only one issue that will have to be addressed for the development to go forward.

Mayor Wolf expressed that he would not want this development to get away from the City.

Marty Dzuro, representing Mid-Florida Properties explained that with commercial development along 44, with a hospital and other medical offices, new residents will be looking for single family detached, single story homes, with safe streets for children to play and ride bikes. The proposed design provides those options and minimizes cut through traffic. The design with dedicated streets, small but sufficient recreation area will keep the homeowners' fees down. Noted that City staff did a good job in providing ideas for changes to some of the requirements that prohibit this type of development. Some things that still need to address is the mixed housing types, interconnections to private properties, sidewalks, and dedication of roads and multimodal pathways, open space requirements, small reduction in front and rear setbacks. In order for the developer to proceed with the project they need to be confident that the Commission supports the land uses, design district and zoning changes that are needed. Without that confidence the development cannot go forward. They do not want to lose the opportunity to provide this type of housing and feels the City would not want to lose the development. Here to show some of the things to get through and possibly work to amend some of the Comp Plan policies, and some of the design district policies and perhaps rezoning to allow a project to continue.

DSD Peavy – a couple of issues – the mix of housing types was required by DCA to get the City's 2035 Comp Plan approved. Now all the Statutes have been relaxed. Staff has discussed removing the mix of housing types and placing a

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threshold on a mix of housing types, and just requiring a mix of housing type in planned development and not just straight zoning categories. Therefore believe the mix of housing types in this project can be overcome. The first thing is that the land use would need to be amended to low density residential. Have asked Mid-Florida to show the need for this type of housing. Staff was not in support of the change originally, but gave them the option of bringing to the City the need when no other development does. The vertical mix issue is not required in residential and is therefore not an issue at all. The interconnectivity is required in every development and is not something that staff recommends budgeting on. If interconnectivity is lost on this large of a property at this point, the interconnection will not be feasible anywhere else in that area. If the property, which spans from 301 to 209, is cut off, there will be no other way to get off the property. The interconnectivity was planned to relieve future congestion on 301.

Staff does not plan to remove the interconnectivity requirement from the Comp Plan, Land Use or Design Standards. Sidewalks are another issue that staff feels there is no room for negotiation. In all other development agreements, sidewalks have been required on both sides of the roads, which is a requirement of the design standards. Typically The Villages projects similar to this one have connection to the multimodal pathways that are provided by the Villages that their residents pay for. This project will not have that opportunity. They will not have the interconnection to commercial and other residential areas, so we would rely on the sidewalks on both sides of every road within the development to not only keep compliance with other projects the City has approved, but to keep in compliance with the design standards and provide safe places for the children to play. Another issue discussed was the City taking over the roads within the development, and Development Services has negotiated with several developers over what roads the City would take over, and the ones they will not take over. The City cannot afford to take over the maintenance of roads constructed by developers if the roads are not going to serve more than a private purpose. So cul de sacs, roads that go into a development but not through to another place, staff does not recommend accepting. That is not a policy at this time but will be. Currently it is negotiated. Staff recommends accepting the road from 301 to 209 and to 214. Recommends interconnectivity to the north also. Mayor Wolf asked if the north side would have a gate until such time as the property to the north is developed. DSD Peavy indicated there would be a gate, and staff would recommend accepting the north-south and east-west roads that go all the way through the projects.

Amenities were discussed with Mid-Florida and they were told there would have to be more than one. On the plan is a Pod of amenities, which may meet part of that requirement.

DSD Peavy – staff needs direction on the mix of use Comp Plan amendment. She explained that staff has done all they can without direction from the Commission or changes to the policies her staff has to follow.

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Marty Dzuro – possibly the mix of use doesn't need to be eliminated but the policy amended to allow show of need for single family residential in future projects. Even in the retirement areas of the Villages they do sidewalks along the major roads, not necessarily on the minor roads. Has discussed with staff the City taking over the roads that connect to a County road. If the City doesn't take over the roads, the developer would construct the roads differently to reduce the cost and definitely not sidewalks. The homeowners would have to pay for the upkeep if the City didn't take over the roadways. Concerned that traffic on the small roads through the subdivisions where children are playing will increase because the drivers will look for the quickest route. Mayor Wolf expressed that extended the road to the north with a gate should not create a problem. Marty Dzuro – if the interconnectivity would be gated, that would be different, but that is not what he heard through discussion with staff.

Mayor Wolf – can see where sidewalks on both sides of the roads running “through”, and sidewalks to the recreation area.

Commissioner Allen – would like for staff to continue to work with Mid-Florida.

DSD Peavy noted the City is not required to limit Comp Plan Amendments. Plans to do a large scale and policy changes in February, but doesn't know if this project will be ready by then. Also, before staff is sent off to negotiate something they don't have the authority to negotiate, wants the Commission to know that staff does not have the authority to negotiate what the Commission has approved. Sidewalks on both sides of the road cannot be negotiated without the Commission telling staff to change the design standards. If directed to do so then every other project will be open to negotiation. This is a good project and it has a lot of nice expensive homes and staff doesn't want to see it lost. If the Commission wants to direct her to relax the sidewalk requirement in the Comp Plan, it will be not only for this project but for every other one. If the Commission wants her to go against the Comp Plan, Land Development Regulations, and Design Standard and relax the interconnectivity requirement, she will need direction on from the Commission. Not saying that gates are required or not required on interconnectivity roads. If they are going to be City roads that City residents use and part of the interconnectivity requirement, they cannot be locked or coded gates. They have to be through roads for everyone. The Parkwood Subdivision was brought up, and to let everyone know that was a County approved project brought into the City.

CA Blair – need to work with staff and talk about changes the City may want to make to the Comp Plan to help with larger projects of this type. Can think of some things that may make it available if certain other standards are met, and that is something that could be discussed with staff and the attorney bring back to the Commission as a recommendation. Don't think the problem can be solved. Can't say how the Commission would vote about at a hearing changing the zoning and the Comp Plan. That is something that will happen in the future. It

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seems they came tonight to see if there is a possibility of changes in the future, and it seems that staff is already working on that.

Commissioner Strickland we have staff's recommendation, they have probably discussed it for hours. There are things in the recommendation that the Commission has agreed upon over and over and to toss it over for one development, he does not like that. Agrees that on 1, 2, and 3 it seems everyone has agreed there could be concessions. On 4, 5, and 6 are things that he feels there is no flexibility on. He is against negotiating those things. We set the precedent with Parkwood. Mayor Wolf asked if sidewalks are needed on both sides of the roadways in certain areas of the project? Believe we need to meet in the middle. The same issues will probably come up on the next item. Are five foot sidewalks needed on both sides of the roads on some of the small cul de sacs.

DSD Peavy – Mid-Florida came tonight to tell the Commission what the problems are and to see if there is any kind of consensus from the Commission to support what they will present to the Commission. There is no room for negotiation between staff and the developer at this time. Staff can move forward with the Land Use Change and the Zoning change with an application and worry about the sidewalk at the time we review the Site Plan. However, they need direction to know whether or not they are going to close on property.

CA Blair – suggest that staff works on the changes they are going to make to the Comp Plan and then the developer look at them and see if the changes will solve the problem.

Mayor Wolf – staff and the developer could discuss sidewalks so that every lot on a cul de sac does not have to have a sidewalk.

Steve Roy – expressed appreciation for all the input received from staff and the Commission. He noted that they are against a deadline of a due diligence period on the property. They are to here to find out what the Commission thinks of the project. They will seek an extension of the due diligence period to give more time for Marty and Melanie to work on this. Whatever the outcome want to be sure remain friends.

DSD Peavy suggested that a workshop be scheduled within the first weeks of January to discuss the questions that have come from developers and others, the suggested staff changes to the Comp Plan, and the suggestions to change to the design standards.

CA Blair suggested that part of that meeting be recommendations regarding treatment of larger developments. ICM Jacobs asked if the meeting should wait until discussion with the attorney. DSD Peavy indicated that changes to the Comp Plan have been working for six months. All the changes are outlined and ready to come to the Commission in late January for submission in February. CA Blair indicated the workshop should be before that.

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CA Blair suggested that the workshop be between the first and second regular meetings of January, with date set during first meeting.

No action taken.

7) Discussion/Approval of Healthcare Properties Development Group, LLC's request to "Partner" with the COW in pursuing grants to fund water and sewer extensions and transportation access to proposed elder care facility on 38 acres CR 466A in return for 200-400 new jobs, pro-rated connection fees, cost of grant writing, compliance with grant program requirements and agree to indemnify the City against all losses (Attachments – Board Option)

After a lengthy discussion regarding what has been requested by the City in order to provide the information requested by the Development Group and what is needed by the Development Group for the grant application to be filed by December 15 and including comments from DSD Peavy, Richard Busche of Kimley Horn, Dale Gilliland and Robert Kars of the Development Group, Tom Word the property owner, Jerry Glascon, Tom Wille of H&B Consulting Engineers, Danny Smith and UD Bruce Phillips, Mr. Phillips indicated a Master Plan is in place and the City can provide the information to the development group on Tuesday. Mayor Wolf asked that the information be provided.

4. ADJOURN:

Upon a motion by Commissioner Bivins, second by Commissioner Allen, the meeting was adjourned.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

S E A L

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

**ORDINANCE NO. O2012-02**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA,  
PROVIDING THAT ANY AND ALL ANIMALS BROUGHT ON  
CITY PROPERTY MUST BE ON A LEASH; PROVIDING FOR  
CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida:

SECTION 1. Any and all animals who are brought on to City property are required to be on a leash at all times. Failure to maintain the animal on a leash may result in ejection from the property.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2011, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:  
\_\_\_\_\_  
Jerri A. Blair, City Attorney

**ORDINANCE NO. O2012-03**

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA,  
PROVIDING FOR THE CONTROL OF THE USE OF REMOTE  
CONTROL PLANES WITHIN CITY LIMITS; PROVIDING FOR  
CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida:

SECTION 1. No remote control planes may be used on City property except in areas designated as appropriate for use by the City. Any such areas will be posted with signs indicating the use is allowed.

SECTION 2. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 3. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a Court or competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of said ordinance.

SECTION 4. Effective Date. This Ordinance shall take effect immediately upon its final adoption by the City Commission.

PASSED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2011, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

ORDINANCE NO. O2012- 04

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA, AMENDING ORDINANCE NUMBERS 212, 303 AND O2010-06 AND SECTION 19-30, CITY OF WILDWOOD CODE; PROVIDING FOR APPLICATION OF BASE UTILITY RATES; PROVIDING FOR APPLICATION OF METERED RATES BASED UPON CONSUMPTION; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Sections 19-30 and 19-155, City of Wildwood Code, and Ordinance numbers 212, 303 and O2010-06, the City of Wildwood City Commission has the authority to collect user rates and fees for utilities; and,

WHEREAS, the City of Wildwood staff has determined that there is a need to clarify when metered consumption rates become applicable to customers for water and wastewater service.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF WILDWOOD THAT:

SECTION 1. Section 19-30, City of Wildwood Code, is amended as follows (cross-throughs indicate deletions and underlines indicate additions):

**Section 19-30. Rates.**

(a) *User fees.* Charges to users of city water and/or sewer services for such service shall be in such amounts as are set pursuant to this article by schedule duly adopted by the city commission at any regular or special meeting of the commission after due notice thereof by the unusual agenda notice. Such schedule may be adopted and amended by the city commission upon motion duly made, after notice as above, and shall be signed by the mayor and attested by the city clerk. Copies thereof shall be on file in the office of the city clerk, available for inspection by the public during usual business hours.

(1) Base rates shall become applicable as follows:

~~(1)~~a. Single Family Residential: Base rate is assessed for both water and wastewater once water meter is set.

~~(2)~~b. Multi Family Developments: Base rate is assessed for water once meter is set and wastewater once lift station is cleared and

permitted to operate. (If tie in is made to existing cleared and permitted lift station, base rate is assessed once meter is set.)

~~(3)~~c. Commercial Developments: Base rate is assessed for water once meter is set and wastewater once lift station is cleared and permitted to operate. (If tie in is made to existing cleared and permitted lift station, base rate is assessed once meter is set.)

(2) Charges for metered consumption shall be as follows:

a. Water user fees based upon metered consumption shall be applicable from the time of connection to the water meter.

b. Wastewater user fees shall be based upon water consumption from the time the certificate of occupancy is issued. No wastewater user fees shall be charged before the certificate of occupancy is issued.

SECTION 2. If any section, subsection, sentence, clause, phrase of this ordinance, or any particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 3. This ordinance shall take effect immediately upon its final adoption by the City Commission

PASSED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2012, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair  
City Attorney

## RESOLUTION R2012-01

A RESOLUTION OF THE CITY OF WILDWOOD, FLORIDA; OPPOSING PROPOSED LEGISLATION THAT MODIFIES, RESTRICTS OR ELIMINATES THE AUTHORITY OF MUNICIPALITIES TO LEVY, COLLECT AND/OR EXPEND THE COMMUNICATION SERVICES TAX AND THE LOCAL BUSINESS TAX; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Wildwood and other cities throughout the State of Florida and counties have the authority to levy and/or expend the communication services tax and the local business tax; and,

WHEREAS, local governments have a better knowledge of the needs for services on a local level; and,

WHEREAS, the City Commission of the City of Wildwood, Florida deems it to be in the best interests of the citizens and residents of the City and the entire State to oppose certain proposed legislation that modifies, restricts or eliminates the authority of municipalities to levy, collect and/or expend the communications services tax and the local business tax.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

SECTION 2. The City of Wildwood City Commission hereby opposes the proposed legislation that modifies, restricts or eliminates the authority of municipalities to levy, collect and/or expend the communications services tax and the local business tax. The City Commission hereby further urges municipalities in Sumter County and throughout the State of Florida, as well as Florida electors, to oppose the proposed Constitutional amendment if it appears on the general election ballot.

SECTION 3. The City Clerk is hereby directed to provide a certified copy of this Resolution to the Governor of the State of Florida, the Speaker of the Florida House of Representatives, the President of the Florida Senate, the members of the Sumter County Legislative delegation, the Florida League of Cities, all municipalities in Sumter County, and the Sumter County Board of County Commissioners.

SECTION 4. All resolutions or parts of resolutions in conflict herewith be, and the same are hereby repealed to the extent of such conflict.

SECTION 5. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its passage and adoption.

DONE AND RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2011, in regular session, by the City Commission of the City of Wildwood, Florida.

SEAL

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

ATTEST:

\_\_\_\_\_  
Joseph Jacobs, City Clerk

By: \_\_\_\_\_  
Ed Wolf, Mayor

Approved as to form:

\_\_\_\_\_  
Jerri A. Blair, City Attorney

## RESOLUTION NO. R2012-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, EXTENDING RESOLUTION R2011-05, PLACING A MORATORIUM OF PERMITTING INTERNET CAFES OR ENTITIES PROVIDING GAME PROMOTIONS IN CONNECTION WITH THE SALE OF CONSUMER PRODUCTS OR SERVICES FOR A PERIOD OF SIX MONTHS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Wildwood has determined that because the language contained in Chapter 849.094, Florida Statutes is ambiguous, to be sure no laws are broken, the City is willing to place a moratorium on permitting internet cafes or entities providing game promotions in connection with the sale of consumer products or services to operate within the City until the statute is passed; and,

WHEREAS, on May 11, 2011, the City Commission of the City of Wildwood passed resolution number R2011-05, which placed a moratorium on permitting internet cafes, cardhouses, or entities providing game promotions in connection with the sale of consumer products or services in the City of Wildwood; and,

WHEREAS, the statute relating to this issue has not yet been passed and the City Commission would like to extend resolution R2011-05 for a period of six months.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COMMISSION OF THE CITY OF WILDWOOD, FLORIDA, THAT:

1. The moratorium which was placed on permitting internet cafes, cardhouses, or entities providing game promotions in connection with the sale of consumer products or services in the City of Wildwood by the enactment of resolution R2011-05, is extended for a period of six months.

2. This moratorium shall not affect any existing business which has already been permitted by the City.

3. This Resolution shall take effect immediately upon its final adoption by the City Commission of the City of Wildwood, Florida shall remain in place for a period of six months or until further action of the City Commission, whichever occurs first.

DONE AND RESOLVED, this \_\_\_\_ day of \_\_\_\_\_, 2011, in regular session, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

SEAL

By: \_\_\_\_\_  
Ed Wolf, Mayor

ATTEST:

\_\_\_\_\_  
Joseph Jacobs, City Clerk

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**CITY COMMISSION-LEGISLATIVE DEPARTMENT**

|   |                                |                                                 |             |
|---|--------------------------------|-------------------------------------------------|-------------|
| 1 | Payroll                        | December 18, 2011 Pay Period - 5 Employees      | \$ 3,029.18 |
| 2 | Ronald B Allen                 | WRPC ;NLOC Phoenix AZ.                          | \$ 213.04   |
| 3 | Bank of America                | US Airways, Wyndham Hotel, Hyatt Hotel - Confer | \$ 1,167.60 |
| 4 | PGIT                           | Workers Comp Insurance                          | \$ 12.65    |
| 5 | Sprint-Nextel                  | Cell Phone Service                              | \$ 24.09    |
| 6 | Wildwood Community Development | MLK Day Celebration Funding                     | \$ 2,000.00 |

**CITY MANAGER-EXECUTIVE DEPARTMENT**

|    |                             |                                           |             |
|----|-----------------------------|-------------------------------------------|-------------|
| 7  | Payroll                     | December 18, 2011 Pay Period - 1 Employee | \$ 2,195.86 |
| 8  | Payroll                     | January 1, 2012 Pay Period - 1 Employee   | \$ 2,062.21 |
| 9  | Bank of America             | TGIF - Lunch Email Training               | \$ 17.36    |
| 10 | Bright House                | Internet Service                          | \$ 23.34    |
| 11 | Capital Office Products     | Office Supplies                           | \$ (4.51)   |
| 12 | Dept of Management Services | Telephone Service                         | \$ 61.10    |
| 13 | EGP                         | Monthly Copier Maintenance Contract       | \$ 13.21    |
| 14 | PGIT                        | Workers Comp Insurance                    | \$ 41.14    |
| 15 | Sprint-Nextel               | Cell Phone Service                        | \$ 24.09    |

**CITY CLERK-FINANCIAL & ADMINISTRATIVE DEPARTMENT**

|    |                                     |                                                     |              |
|----|-------------------------------------|-----------------------------------------------------|--------------|
| 16 | Payroll                             | December 18, 2011 Pay Period - 4 Employees          | \$ 10,466.00 |
| 17 | Payroll                             | January 1, 2012 Pay Period - 4 Employee             | \$ 10,495.98 |
| 18 | Bank of America                     | TGIF - Lunch Email Training                         | \$ 16.33     |
| 19 | Bright House                        | Internet Service                                    | \$ 31.03     |
| 20 | Capital Office Products             | Office Supplies                                     | \$ 224.39    |
| 21 | Cason and Gaskins TV Inc            | USB Cables                                          | \$ 68.96     |
| 22 | Century Link                        | Telephone Service                                   | \$ 140.55    |
| 23 | Dept of Management Services         | Telephone Service                                   | \$ 151.13    |
| 24 | EGP                                 | Monthly Copier Maintenance Contract                 | \$ 13.19     |
| 25 | Federal Express                     | Postage                                             | \$ 35.45     |
| 26 | G Neil                              | W-2's and Envelopes                                 | \$ 151.52    |
| 27 | Harris Tree Service , Inc           | Tree Trimming                                       | \$ 200.00    |
| 28 | IMS                                 | Software Maintenance                                | \$ 413.00    |
| 29 | Joseph Jacobs                       | Mileage Reimb. Personal Vehicle Use for December    | \$ 71.04     |
| 30 | PGIT                                | Workers Comp Insurance                              | \$ 65.65     |
| 31 | Pitney Bowes                        | Postage Machine Lease                               | \$ 171.25    |
| 32 | Progress Energy                     | Electric Service                                    | \$ 314.36    |
| 33 | Sprint-Nextel                       | Cell Phone Service                                  | \$ 23.43     |
| 34 | Sumter County Clerk                 | Recording for Quit Claim Deed - Coachman            | \$ 27.00     |
| 35 | Sumter County Clerk                 | Recording for Ordinance #2011-18 - WW Springs       | \$ 367.00    |
| 36 | Tom Swain Tax Collector             | Tax Roll Refund                                     | \$ 70.85     |
| 37 | Villages Technology Solutions Group | Technical Support and Set Up-All General Fund Depts | \$ 1,370.00  |
| 38 | USPS - DMRS                         | Refill Postage Meter                                | \$ 601.13    |
| 39 | Wildwood Ace Hardware, Inc          | Sandpaper, bondo, Mason, Fiberglass Spreaders       | \$ 18.02     |

**DEVELOPMENT SERVICES**

|    |                             |                                            |             |
|----|-----------------------------|--------------------------------------------|-------------|
| 40 | Payroll                     | December 18, 2011 Pay Period - 4 Employees | \$ 8,710.18 |
| 41 | Payroll                     | January 1, 2012 Pay Period - 4 Employee    | \$ 8,710.18 |
| 42 | Bright House                | Internet Service                           | \$ 31.12    |
| 43 | Capital Office Products     | Office Supplies                            | \$ 113.38   |
| 44 | Dept of Management Services | Telephone Service                          | \$ 61.10    |
| 45 | EGP                         | Monthly Copier Maintenance Contract        | \$ 13.19    |

|    |               |                        |    |       |
|----|---------------|------------------------|----|-------|
| 46 | PGIT          | Workers Comp Insurance | \$ | 56.94 |
| 47 | Sprint-Nextel | Cell Phone Service     | \$ | 24.09 |

**HUMAN RESOURCES**

|    |                             |                                           |    |          |
|----|-----------------------------|-------------------------------------------|----|----------|
| 48 | Payroll                     | December 18, 2011 Pay Period - 1 Employee | \$ | 2,007.88 |
| 49 | Payroll                     | January 1, 2012 Pay Period - 1 Employee   | \$ | 1,999.43 |
| 50 | Bank of America             | TGIF - Lunch Email Training               | \$ | 32.83    |
| 51 | Bright House                | Internet Service                          | \$ | 7.78     |
| 52 | Capital Office Products     | Office Supplies                           | \$ | 12.36    |
| 53 | Dept of Management Services | Telephone Service                         | \$ | 61.10    |
| 54 | EGP                         | Monthly Copier Maintenance Contract       | \$ | 13.19    |
| 55 | Federal Express             | Postage                                   | \$ | 55.69    |
| 56 | PGIT                        | Workers Comp Insurance                    | \$ | 9.64     |

**POLICE DEPARTMENT**

|    |                                      |                                                      |    |           |
|----|--------------------------------------|------------------------------------------------------|----|-----------|
| 57 | Payroll                              | December 18, 2011 Pay Period - 27 Employees          | \$ | 54,099.58 |
| 58 | Payroll                              | January 1, 2012 Pay Period - 27 Employees            | \$ | 65,686.23 |
| 59 | Advanced Auto Parts                  | Brake Pad Set                                        | \$ | 163.87    |
| 60 | Bank of America                      | Office Depot; TGIF - Lunch Email Training            | \$ | 112.36    |
| 61 | Barron Psychological Services        | Psychological Evaluation                             | \$ | 250.00    |
| 62 | BS Auto Salvage                      | Drive Shaft                                          | \$ | 100.00    |
| 63 | Capital Office Products              | Office Supplies                                      | \$ | 157.79    |
| 64 | CarQuest Auto Parts                  | Reman Alternator, Trans Mounts, Struts, U-Joints,Etc | \$ | 1,134.06  |
| 65 | Compass                              | Reman Transmission                                   | \$ | 1,370.00  |
| 66 | Communications International         | Radar Calibration                                    | \$ | 570.00    |
| 67 | Dell                                 | Power Supply, 305 W                                  | \$ | 79.99     |
| 68 | Dept of Management Services          | Telephone Service                                    | \$ | 135.06    |
| 69 | Dynometer                            | Speedometer Calibration                              | \$ | 300.00    |
| 70 | EGP                                  | Monthly Copier Maintenance Contract                  | \$ | 114.43    |
| 71 | Electronics & Communications Comp.   | Factory Repairs E & M Module                         | \$ | 375.00    |
| 72 | George Nahas Chevrolet, Inc          | Pulley, Knob                                         | \$ | 61.12     |
| 73 | H & J Electronics International, Inc | Dell Laptop                                          | \$ | 925.00    |
| 74 | Intech                               | Support Contract                                     | \$ | 1,797.50  |
| 75 | Law Enforcement Supply               | Holster, Badges,C540,C536 Gold, Blood Spec. Kit,Etc  | \$ | 651.09    |
| 76 | L3 Mobile Vision, Inc                | MV Cam Coil Cord                                     | \$ | 91.80     |
| 77 | Merritt Department Stores, Inc       | Black Jacket                                         | \$ | 89.46     |
| 78 | MetroPCS Wireless, Inc.              | Call Details - Investigation                         | \$ | 50.00     |
| 79 | Office Depot                         | Office Supplies                                      | \$ | 124.95    |
| 80 | PGIT                                 | Workers Comp Insurance                               | \$ | 2,429.89  |
| 81 | Progress Energy                      | Electric Service                                     | \$ | 1,450.81  |
| 82 | Sprint-Nextel                        | Cell Phone Service                                   | \$ | 224.26    |
| 83 | Tritech Forensics                    | Evidence Collection Kits                             | \$ | 176.66    |
| 84 | Verizon Wireless                     | Broadband                                            | \$ | 200.07    |
| 85 | Wildwood Ace Hardware, Inc           | Recip Blade, Drain Auger,PVC Pipe, Key, Etc.         | \$ | 88.53     |

**STREET DEPARTMENT**

|    |                                   |                                             |    |           |
|----|-----------------------------------|---------------------------------------------|----|-----------|
| 86 | Payroll                           | December 18, 2011 Pay Period - 10 Employees | \$ | 17,475.19 |
| 87 | Payroll                           | January 1, 2012 Pay Period - 9 Employees    | \$ | 16,619.10 |
| 88 | Advanced Auto Parts               | Gas Can                                     | \$ | 14.99     |
| 89 | Bank of America                   | TGIF - Lunch Email Training                 | \$ | 6.22      |
| 90 | Bright House                      | Internet Service                            | \$ | 39.98     |
| 91 | Capital Office Products           | Office Supplies                             | \$ | 67.25     |
| 92 | CarQuest Auto Parts               | Fittings, Brake Pads/Shoes,Oil Filter       | \$ | 164.62    |
| 93 | Cason and Gaskins TV Inc          | DC Charger                                  | \$ | 14.99     |
| 94 | CDW-G                             | Brother MFC Printer                         | \$ | 360.58    |
| 95 | C.R. 466A Landfill Facility, LLC. | Tipping Fee                                 | \$ | 1,070.15  |

|     |                                      |                                                  |              |
|-----|--------------------------------------|--------------------------------------------------|--------------|
| 96  | Department of Corrections            | Work Squad                                       | \$ 14,501.00 |
| 97  | Dept of Management Services          | Telephone Service                                | \$ 45.02     |
| 98  | Harris Tree Service, Inc             | Trimming Trees                                   | \$ 200.00    |
| 99  | Office Depot                         | Office Supplies                                  | \$ 96.27     |
| 100 | PGIT                                 | Workers Comp Insurance                           | \$ 1,483.60  |
| 101 | PowerPlan - Highland Tractor         | Hydraulic Kit, Cyl Kit, Cutting Ed, Bolts        | \$ 303.25    |
| 102 | Progress Energy                      | Electric Service & New Lite Install              | \$ 5,258.78  |
| 103 | Salescorp of Florida                 | Orange Flagging                                  | \$ 23.80     |
| 104 | Silver Springs Bottled Water         | Cooler Rental                                    | \$ 2.50      |
| 105 | Sprint-Nextel                        | Cell Phone Service                               | \$ 100.34    |
| 106 | Southern Environmental Sciences, Inc | Visible Emissions Evaluation                     | \$ 603.70    |
| 107 | Sumter Electric                      | Electric Service                                 | \$ 196.36    |
| 108 | Wildwood Ace Hardware, Inc           | Fasteners, Spruce Stakes, Charcoal Lighter, Etc. | \$ 88.36     |
| 109 | Wildwood Mower & Saw, Inc            | Socket, Cap Reserv, E Ring, Bar Adjusting Screw  | \$ 38.58     |
| 110 | Xpress Materials, LLC                | Concrete Pour                                    | \$ 277.50    |

**FLEET SERVICES**

|     |                              |                                               |             |
|-----|------------------------------|-----------------------------------------------|-------------|
| 111 | Payroll                      | December 18, 2011 Pay Period - 2 Employees    | \$ 4,969.18 |
| 112 | Payroll                      | January 1, 2012 Pay Period - 2 Employees      | \$ 4,987.07 |
| 113 | Advance Auto Parts           | Wiper Blades, Seafoam                         | \$ 51.85    |
| 114 | Bank of America              | TGIF - Lunch Email Training                   | \$ 6.23     |
| 115 | Big Truck Parts, Inc         | Filters                                       | \$ 67.68    |
| 116 | Bright House                 | Internet Service                              | \$ 39.97    |
| 117 | Capital Office Products      | Office Supplies                               | \$ 50.18    |
| 118 | CarQuest Auto Parts          | Shop Towels, Shudder Fix, Ft Air, Primer, Etc | \$ 112.70   |
| 119 | Dept of Management Services  | Telephone Service                             | \$ 45.02    |
| 120 | PGIT                         | Workers Comp Insurance                        | \$ 381.87   |
| 121 | Progress Energy              | Electric Service                              | \$ 111.32   |
| 122 | Silver Springs Bottled Water | Cooler Rental                                 | \$ 2.50     |
| 123 | Sprint-Nextel                | Cell Phone Service                            | \$ 48.18    |
| 124 | Wildwood Ace Hardware, Inc   | Ace RSTP Spry Redprm                          | \$ 8.98     |
| 125 | Wildwood Mower & Saw, Inc    | Fuel Bowl Gasket                              | \$ 1.25     |

**COMMUNITY RE-DEVELOPMENT**

|     |                                    |                                                  |              |
|-----|------------------------------------|--------------------------------------------------|--------------|
| 126 | Payroll                            | December 18, 2011 Pay Period - 1 Employee        | \$ 2,494.71  |
| 127 | Payroll                            | January 1, 2012 Pay Period - 1 Employee          | \$ 2,494.71  |
| 128 | Bright House                       | Internet Service                                 | \$ 7.78      |
| 129 | Capital Office Products            | Office Supplies                                  | \$ 18.54     |
| 130 | Dept of Management Services        | Telephone Service                                | \$ 61.10     |
| 131 | EGP                                | Monthly Copier Maintenance Contract              | \$ 13.19     |
| 132 | FDEO                               | Special District Fee                             | \$ 175.00    |
| 133 | PGIT                               | Workers Comp Insurance                           | \$ 16.37     |
| 134 | Sprint-Nextel                      | Cell Phone Service                               | \$ 24.09     |
| 135 | Utility Systems Construction, Inc. | CDBG Grant - Pitt/Stone and Osceola Improvements | \$ 43,235.55 |

**PARKS & RECREATION / GROWERS MARKET**

|     |                               |                                            |             |
|-----|-------------------------------|--------------------------------------------|-------------|
| 136 | Payroll                       | December 18, 2011 Pay Period - 6 Employees | \$ 8,443.76 |
| 137 | Payroll                       | January 1, 2012 Pay Period - 5 Employees   | \$ 5,498.67 |
| 138 | Advanced Auto Parts           | P/S Fluid, Funnel                          | \$ 20.95    |
| 139 | A-Line Fire & Safety          | Annual Inspection and Maintenance          | \$ 197.95   |
| 140 | Bank of America               | TGIF - Lunch Email Training                | \$ 12.45    |
| 141 | Besco Electric Supply Company | Bulbs                                      | \$ 42.21    |
| 142 | Blue Printing and Design      | Business Cards - Growers Market            | \$ 30.00    |
| 143 | Bright House                  | Internet Service                           | \$ 15.56    |
| 144 | Capital Office Products       | Office Supplies                            | \$ 24.39    |
| 145 | CarQuest Auto Parts           | Tie w/Head                                 | \$ 28.83    |

|     |                             |                                                       |    |          |
|-----|-----------------------------|-------------------------------------------------------|----|----------|
| 146 | Central Pump & Supply, Inc  | PVC bushings, Exp Couplings, Pipe Dope                | \$ | 23.84    |
| 147 | Century Link                | Telephone Service                                     | \$ | 39.04    |
| 148 | Culligan                    | Softener Rental - Lake Deaton                         | \$ | 32.95    |
| 149 | Department of Corrections   | Work Squad                                            | \$ | 8,700.60 |
| 150 | Dept of Management Services | Telephone Service                                     | \$ | 61.10    |
| 151 | EGP                         | Monthly Copier Maintenance Contract                   | \$ | 13.19    |
| 152 | Key Scales                  | Hinge Assembly                                        | \$ | 162.98   |
| 153 | PGIT                        | Workers Comp Insurance                                | \$ | 305.13   |
| 154 | Progress Energy             | Electric Service                                      | \$ | 219.85   |
| 155 | Salescorp of Florida        | Double Palm Leather Glove                             | \$ | 147.90   |
| 156 | Sherwin-Williams Co.        | Paint                                                 | \$ | 67.58    |
| 157 | Sprint-Nextel               | Cell Phone Service                                    | \$ | 96.36    |
| 158 | Sumter Electric             | Electric Service                                      | \$ | 369.20   |
| 159 | Sumter Tire & Auto, Inc.    | Tire Repair                                           | \$ | 15.00    |
| 160 | T & D Waste Services, Inc.  | Port O Let Rentals                                    | \$ | 410.00   |
| 161 | Wildwood Ace Hardware, Inc  | Pool Paint, Time Switch, Cable Ties, Fertilizer, Etc. | \$ | 619.29   |
| 162 | Wildwood Mower & Saw, Inc   | Air Cleaner, Spark Plug                               | \$ | 15.04    |

**COMMUNITY CENTER & OXFORD COMMUNITY CENTER**

|     |                            |                                     |    |          |
|-----|----------------------------|-------------------------------------|----|----------|
| 163 | AFGE Local 506             | Deposit Refund                      | \$ | 261.00   |
| 164 | Bank of America            | Sharky's Vac n Sew                  | \$ | 53.49    |
| 165 | Bright House               | Internet Service                    | \$ | 79.95    |
| 166 | Capital Office Products    | Office Supplies                     | \$ | 10.81    |
| 167 | Century Link               | Telephone Service                   | \$ | 369.66   |
| 168 | Citrus Publishing          | Discover Sumter                     | \$ | 354.00   |
| 169 | Laurel Fassino             | Deposit Refund                      | \$ | 112.38   |
| 170 | Norma Givens               | Deposit Refund                      | \$ | 222.75   |
| 171 | Oracle Elevator            | Regular Maintenance                 | \$ | 411.04   |
| 172 | Ring Power                 | Troubleshoot Generator Set & Repair | \$ | 1,568.19 |
| 173 | Sumter Electric            | Electric Service                    | \$ | 986.04   |
| 174 | Wildwood Ace Hardware, Inc | Paintbrushes, Paint, Bulbs          | \$ | 95.40    |

**PHYSICAL ENVIRONMENT ADMINISTRATIVE DEPARTMENT**

|     |                                     |                                                       |    |           |
|-----|-------------------------------------|-------------------------------------------------------|----|-----------|
| 175 | Payroll                             | December 18, 2011 Pay Period - 3 Employees            | \$ | 5,149.65  |
| 176 | Payroll                             | January 1, 2012 Pay Period - 3 Employees              | \$ | 5,033.76  |
| 177 | Bank of America                     | TGIF - Lunch Email Training                           | \$ | 14.97     |
| 178 | Bright House                        | Internet Service                                      | \$ | 23.34     |
| 179 | Capital Office Products             | Office Supplies                                       | \$ | 219.10    |
| 180 | Cason and Gaskins TV Inc            | USB Cable                                             | \$ | 38.98     |
| 181 | Century Link                        | Telephone Service                                     | \$ | 37.73     |
| 182 | Dept of Management Services         | Telephone Service                                     | \$ | 106.12    |
| 183 | EGP                                 | Monthly Copier Maintenance Contract                   | \$ | 88.24     |
| 184 | General Fund                        | November W/S Gas Consumption                          | \$ | 4,566.47  |
| 185 | General Fund                        | Water Utility Tax, Dec. 10% Refuse Franchise          | \$ | 9,883.56  |
| 186 | General Fund                        | Partial Budget Transfer                               | \$ | 87,500.00 |
| 187 | IMS                                 | Software Maintenance                                  | \$ | 115.00    |
| 188 | Pitney Bowes                        | Postage Machine Lease                                 | \$ | 171.26    |
| 189 | Postmaster                          | Utility Billing Postage                               | \$ | 814.06    |
| 190 | PGIT                                | Workers Comp Insurance                                | \$ | 32.64     |
| 191 | Villages Technology Solutions Group | Technical Support and Set Up-All Enterprise Fund Dept | \$ | 1,370.00  |
| 192 | USPS - DMRS                         | Refill Postage Meter                                  | \$ | 148.87    |
| 193 | Wildwood Ace Hardware, Inc          | Sandpaper, bondo, Mason, Fiberglass Spreaders         | \$ | 18.02     |
| 194 | Deniese Woods                       | Leesburg Post Office Travel                           | \$ | 13.88     |

**WATER DEPARTMENT**

|     |         |                                            |    |           |
|-----|---------|--------------------------------------------|----|-----------|
| 195 | Payroll | December 18, 2011 Pay Period - 9 Employees | \$ | 15,732.68 |
|-----|---------|--------------------------------------------|----|-----------|

|     |                                       |                                                       |              |
|-----|---------------------------------------|-------------------------------------------------------|--------------|
| 196 | Payroll                               | January 1, 2012 Pay Period - 9 Employees              | \$ 14,820.03 |
| 197 | Advanced Auto Parts                   | Radiator, Brake Pad Set, Radiator Cap                 | \$ 207.60    |
| 198 | Bank of America                       | TGIF - Lunch Email Training; FDEP, Office Depot       | \$ 200.47    |
| 199 | Battery Web.com                       | Battery Terminals                                     | \$ 324.40    |
| 200 | Brenntag                              | Liquid Chlorine                                       | \$ 978.56    |
| 201 | Bright House                          | Internet Service                                      | \$ 84.95     |
| 202 | Campbell's Gate Service, Inc          | TAC Telephone Entry System                            | \$ 1,471.00  |
| 203 | CarQuest Auto Parts                   | Remfg Water Pump, Lamp Assembly                       | \$ 318.65    |
| 204 | Cason and Gaskins TV Inc              | USB Car Charger                                       | \$ 14.99     |
| 205 | C.W. Roberts Contracting, Inc         | Asphalt                                               | \$ 65.00     |
| 206 | Department of Corrections             | Work Squad                                            | \$ 2,900.20  |
| 207 | Dept of Management Services           | Telephone Service                                     | \$ 45.02     |
| 208 | Florida Rural Water Association       | Membership Dues                                       | \$ 272.50    |
| 209 | George Nahas Chevrolet, Inc           | 101F Pin                                              | \$ 13.74     |
| 210 | Interstate Electrical Services        | Repair and Service Pump #2                            | \$ 260.00    |
| 211 | Mark O'Dell                           | Brooksville Travel                                    | \$ 11.00     |
| 212 | Bruce H. Phillips                     | SWFWMD Class Travel                                   | \$ 11.00     |
| 213 | Plant Technicians                     | Environmental Testing                                 | \$ 495.00    |
| 214 | PGIT                                  | Workers Comp Insurance                                | \$ 956.70    |
| 215 | Progress Energy                       | Electric Service                                      | \$ 1,438.99  |
| 216 | Southern Analytical Laboratories, Inc | Environmental Testing                                 | \$ 75.00     |
| 217 | Sprint-Nextel                         | Cell Phone Service                                    | \$ 126.25    |
| 218 | Sumter Electric                       | Electric Service                                      | \$ 1,698.15  |
| 219 | Sunstate Meter & Supply, Inc.         | Reg-Proread Gal Prewired to Pigtail, T10 Gal Meters   | \$ 4,678.72  |
| 220 | Terminix                              | Monthly Pest Control Contract, Remove Bees Nest       | \$ 275.00    |
| 221 | The Dumont Company, Inc               | Hypochlorite Solution, Clear Flow Corrosion Inhibitor | \$ 3,611.75  |
| 222 | UPS                                   | Postage                                               | \$ 10.49     |
| 223 | USA BlueBook                          | Stenner Duckbill, Dispenser                           | \$ 196.73    |
| 224 | Verizon Wireless                      | Broadband                                             | \$ 80.02     |
| 225 | Wildwood Ace Hardware, Inc            | PVC, Conduit, Breakers Lite, Plywood, Wire, Etc.      | \$ 927.33    |
| 226 | Wildwood Mower & Saw, Inc             | Repair Cut Off Saw                                    | \$ 20.90     |

**WASTEWATER DEPARTMENT**

|     |                                         |                                                      |              |
|-----|-----------------------------------------|------------------------------------------------------|--------------|
| 227 | Payroll                                 | December 18, 2011 Pay Period - 12 Employees          | \$ 29,034.71 |
| 228 | Payroll                                 | January 1, 2012 Pay Period - 12 Employees            | \$ 26,645.68 |
| 229 | Bank of America                         | TGIF - Lunch Email Training; Office Depot            | \$ 349.93    |
| 230 | Bearings & Drives, Inc.                 | Pillow Block                                         | \$ 363.20    |
| 231 | Besco Electric Supply Company           | Misc Breakers; Sq D Breakers                         | \$ 1,961.89  |
| 232 | Capital Office Products                 | Office Supplies                                      | \$ 309.72    |
| 233 | CarQuest Auto Parts                     | Degreaser, Carb Clnr, Air Chuck, Blwr Motor Resistor | \$ 78.78     |
| 234 | Century Link                            | Telephone Service                                    | \$ 166.42    |
| 235 | Department of Corrections               | Work Squad                                           | \$ 2,900.20  |
| 236 | Dept of Management Services             | Telephone Service                                    | \$ 90.04     |
| 237 | FL Dept of Environmental Protection     | B License Application - A. Prestidge                 | \$ 100.00    |
| 238 | Florida Rural Water Association         | Membership Dues                                      | \$ 272.50    |
| 239 | HACH                                    | Plastic Ampules, Agar Tubes                          | \$ 301.25    |
| 240 | Hardy Diagnostics                       | Petri Dishes, FC Broth w/Rosolic Acid                | \$ 911.68    |
| 241 | HD Supply WaterWorks                    | Cor Ten Head, Pressure Gauge                         | \$ 293.56    |
| 242 | Odyssey Manufacturing Co.               | Hypochlorite Solutions                               | \$ 4,998.32  |
| 243 | PGIT                                    | Workers Comp Insurance                               | \$ 1,057.69  |
| 244 | Professional Maintenance Prod., Inc     | Citra Solv Lift Station Degreaser                    | \$ 1,495.00  |
| 245 | Progress Energy                         | Electric Service                                     | \$ 20,466.02 |
| 246 | Silver Springs Bottled Water            | Bottled Water                                        | \$ 108.20    |
| 247 | Sprint-Nextel                           | Cell Phone Service                                   | \$ 144.54    |
| 248 | State of FL. Dept of Enviro. Protection | Annual WasteWater Regulatory & Surveillance Fee      | \$ 500.00    |
| 249 | Sumter County Times                     | Subscription                                         | \$ 15.47     |

|     |                                   |                                                      |              |
|-----|-----------------------------------|------------------------------------------------------|--------------|
| 250 | Sumter Electric                   | Electric Service                                     | \$ 853.39    |
| 251 | VWR                               | Polyseed,Buffer Yellow,Filter Paper,Beaker Glass Etc | \$ 562.00    |
| 252 | Wildwood Ace Hardware, Inc.       | Pressure Treated Post, Joint Knife, Pool Accs Pole   | \$ 85.34     |
| 253 | Wildwood Mower & Saw, Inc.        | Syringe, Primer Pump, Gas Line                       | \$ 10.80     |
| 254 | Xylem Water Solutions U.S.A., Inc | Pump Drill, Plate, Machine Plate for Pump, Labor     | \$ 24,708.00 |

**INDUSTRIAL PARK**

|     |              |                 |              |
|-----|--------------|-----------------|--------------|
| 255 | General Fund | Budget Transfer | \$ 10,000.00 |
|-----|--------------|-----------------|--------------|

**GREENWOOD CEMETERY**

|     |                 |                  |          |
|-----|-----------------|------------------|----------|
| 256 | Progress Energy | Electric Service | \$ 25.71 |
|-----|-----------------|------------------|----------|

**ATTORNEYS/CONSULTANTS/SURVEYORS**

|     |                          |                                        |              |
|-----|--------------------------|----------------------------------------|--------------|
| 257 | Andy Easton & Associates | CDBG Neighborhood Revitalization Grant | \$ 3,000.00  |
| 258 | Kimley-Horn & Associates | Engineers                              | \$ 15,472.77 |

**FUEL INVENTORY**

|     |                               |                           |             |
|-----|-------------------------------|---------------------------|-------------|
| 259 | Stone Petroleum Products, Inc | Regular Unleaded Gasoline | \$ 9,471.00 |
| 260 | Stone Petroleum Products, Inc | Ultra Low Sulfur Diesel   | \$ 2,489.90 |

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|              |  |  |                      |
|--------------|--|--|----------------------|
| <b>TOTAL</b> |  |  | <b>\$ 666,845.07</b> |
|--------------|--|--|----------------------|

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CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

SEAL

ATTEST: \_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

*City of  
Wildwood,  
Florida*



**DATE: December 30, 2011**

**TO: Mayor and City Commissioners, City of Wildwood**

**FROM: Chief E.W. Reeser** 



**RE: Forfeiture of Property to the Police Department – Destruction List**

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Section 705.105, Florida Statutes, provides evidence vests permanently in the law enforcement agency sixty days after the conclusion of the proceeding in which the evidence was seized. The statute provides that if the property is of appreciable value, the law enforcement agency may elect to retain the property for the agency's own use; transfer the property to another unit of state or local government; donate the property to a charitable organization; or sell the property at public sale.

The following currency listed below has been confiscated by this department pursuant to Florida Statute 705.105.

I'm requesting that any currency listed below be deposited into the Law Enforcement Trust.

| <u>Case Number</u> | <u>Item Number</u> | <u>Amount</u> |
|--------------------|--------------------|---------------|
| 2008-04-0386       | LC1                | \$491.77      |
| 2010-03-0205       | AJ1                | \$90.00       |
| 2008-09-0982       | DB1                | \$10.00       |
| 2008-09-0982       | DB2                | \$25.00       |
| 2008-02-0183       | RW5                | \$174.00      |
| 2007-07-0702       | AL1                | \$30.14       |
| 2007-09-0841       | DA1                | \$.65         |
| 2007-01-0025       | DB7                | \$15.50       |
| 2007-01-0025       | K7                 | \$3.00        |
| 2006-06-0661       | K1                 | \$5.00        |
| 1997-10-0844       | K1&K4              | \$2.00        |
| 2006-09-0963       | Q7                 | \$721.65      |

Total Currency \$1,568.71

DONE AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by the City Commission of the City of Wildwood, Florida

SEAL

ATTEST:

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

\_\_\_\_\_  
Joseph Jacobs, City Clerk

\_\_\_\_\_  
Ed Wolf, Mayor

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** Commission Workshop

**REQUESTED ACTION:** Commission direction regarding workshop.

Work Session (Report Only)      **DATE OF MEETING:** 1/9/12  
 Regular Meeting                       Special Meeting

**CONTRACT:**  N/A                      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_              Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

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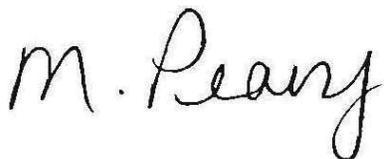
### HISTORY/FACTS/ISSUES:

As discussed at the December 12, 2011 City Commission Meeting, staff was directed to set up a workshop with the Commission to discuss potential changes to the Comprehensive Plan, Land Development Regulations, and Design Standards.

The following dates and times are being proposed for the workshop:

Tuesday, January 17, 2012 at 6 p.m.  
Wednesday, January 18, 2012 at 6 p.m.

Staff is requesting Commission direction.



Melanie Peavy  
Development Services Director

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# FEBRUARY 2012

| SUNDAY | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY |
|--------|--------|---------|-----------|----------|--------|----------|
|        |        | 1       | 2         | 3        | 4      |          |
| 5      | 6      | 7       | 8         | 9        | 10     | 11       |
| 12     | 13     | 14      | 15        | 16       | 17     | 18       |
| 19     | 20     | 21      | 22        | 23       | 24     | 25       |
| 26     | 27     | 28      | 29        |          |        |          |
|        |        | NOTES:  |           |          |        |          |

January 3, 2012



Mr. Mayor and Wildwood City Commission,

In years past a group of citizens came together and with the help and assistance of the City of Wildwood, they formed the Wildwood Area Historical Association. This group worked as an Official City Board, with their membership dues and funds being overseen by the City of Wildwood.

Once again, we have a group of citizens that share a pride in our city and a desire to help preserve and document the past, present and future of the City of Wildwood and its surrounding areas. We are asking to bring this group back and to continue as a board of the City and the city to oversee our funds.

We are looking at collecting \$10.00 per year membership dues and have plans to raise funds from the sell of photos and photo cd's of our history. We are hoping to use these funds to offset any costs in the restoration and upkeep of historical documents and papers and also to use to secure and maintain a location for a Wildwood Museum.

We are also asking to be able to store our current collection of historical items, which include, but are not limited to, photos, newspapers, photo negatives, and tapes, books that have been collected or donated, in a secure and dry location in a city building. This group will take the responsibility of organizing and documenting the items and keeping the designated area neat and orderly.

We would also like to ask permission to use a conference room at City Hall, for our after hour meetings. We are currently meeting the second Tuesday of each month at 6:30pm.

Thank you for your time and consideration on this request, and we look forward to a great working relationship with the City of Wildwood.

A handwritten signature in cursive script that reads "Gidget Gibson".

Gidget Gibson

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** Landstone DRI Extension

Extension of Landstone DRI due to legislation.

**REQUESTED ACTION:**

Work Session (Report Only)  
 Regular Meeting

**DATE OF MEETING:** 1/9/12  
 Special Meeting

**CONTRACT:**

N/A  
Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual  
 Capital  
 N/A

**FUNDING SOURCE:** \_\_\_\_\_  
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

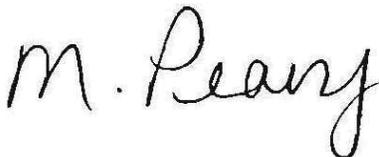
**HISTORY/FACTS/ISSUES:**

Cecilia Bonifay with Akerman Senterfitt is requesting a four year, ten month extension of the Landstone DRI (approved by the City Commission on January 10, 2011 and effective March 18, 2011) under Section 494 of Chapter 2011-142 and Section Chapter 2011-139, Laws of Florida, per her letter dated December 28, 2011 on behalf of their client, Landstone-Wright, LLC.

Per Section 494 of Chapter 2011-142 and Chapter 2011-139, Laws of Florida, the developer has the right to request an extension for a total period of approximately four years and ten months, which would extend phasing and compliance dates as follows:

Commencement date                      January 22, 2021  
DRI build-out and termination date    November 21, 2035

Subsection 1.16 (A) of the Land Development Regulations (LDRs), *Supplemental Regulations*, state that in addition to the requirements of the Code, all development shall meet all applicable requirements of other regulatory agencies and of other City ordinances.



Melanie Peavy  
Development Services Director



Cecelia Bonifay

Akerman Senterfitt  
420 South Orange Avenue  
Suite 1200  
Orlando, FL 32801-4904  
Tel: 407.423.4000  
Fax: 407.843.6610

Dir: 407.419.8540  
Dir Fax: 407.254.4230  
cecelia.bonifay@akerman.com

December 22, 2011

Mr. Joseph Jacobs  
Interim City Manager  
City of Wildwood  
100 N. Main Street  
Wildwood, FL 34785

**Re: Notice of DRI Development Order Extension – Landstone Communities DRI**

Dear Mr. Jacobs:

The 2011 Florida Legislature provided two separate permit/development order extension opportunities. First, Section 494 of Chapter 2011-142, Laws of Florida, provides that in the event the Governor declares a state of emergency, the declaration tolls the period remaining under a permit or development order for the duration of the declaration, and extends the permit for an additional six-month period. On June 13, 2011, Governor Scott issued Executive Order Number 11-28 declaring a state of emergency for the entire State of Florida due to the danger of wildfires. That Declaration was extended on August 5, 2011 for another sixty (60) days (Executive Order 11-172) and again extended on October 4, 2011 for another 30 days (Executive Order 11-202). Therefore, the total extension period is ten months and 21 days. However, the Division of Community Planning has revised this calculation to a tolling period of 126 days plus the 6-month extension, for a total extension of 6 months and 126 days.

Second, Chapter 2011-139, Laws of Florida, included a provision to allow extension of DRI commencement, buildout and termination dates for an additional four (4) years.

Therefore, in accordance with the 2011 legislative provisions, the undersigned, for and on behalf of the owners of the property within the Landstone Communities DRI, hereby gives notice of (1) the extension of the commencement date of the Development Order by six (6) months and one hundred and twenty-six (126) days, which would be from March 18, 2016 to January 22, 2017 (note this is a Sunday) + 4 year extension as a DRI, which would extend to January 22, 2021. The dates were calculated by taking the Effective Date of the ARDO of March 18, 2011 – start

akerman.com

BOCA RATON DALLAS DENVER FORT LAUDERDALE JACKSONVILLE LAS VEGAS LOS ANGELES MADISON MIAMI NAPLES  
NEW YORK ORLANDO PALM BEACH SALT LAKE CITY TALLAHASSEE TAMPA TYSONS CORNER WASHINGTON, D.C.  
WEST PALM BEACH

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Mr. Joseph Jacobs, Interim City Manager  
December 22, 2011  
Page 2

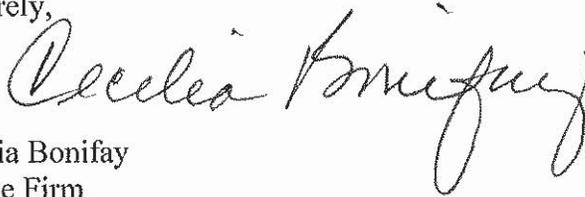
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within 5 years = 2016 + 6 months and 126 days = January 22, 2017 + 4 years for a DRI = January 22, 2021. and (ii) the further extension of the DRI buildout and termination dates to November 21, 2035. These extensions were calculated by taking the termination date of December 31, 2030 + 4 years for a DRI = December 31, 2034 + 6 months and 126 days = November 3, 2035 (note this is a Saturday).

These extensions are effective on the date of this letter.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Cecelia Bonifay  
For the Firm

cc: Mr. Fred Milch  
Mr. James Stansbury  
Jeri Blair, Esq.  
Ms. Melanie Peavy  
Mr. Albert Praw  
Mr. Daniel Sparks  
Mr. Chuck Piper

## CHAPTER 2011-139

### House Bill No. 7207

An act relating to growth management; amending s. 163.3161, F.S.; redesignating the "Local Government Comprehensive Planning and Land Development Regulation Act" as the "Community Planning Act"; revising and providing intent and purpose of act; amending s. 163.3164, F.S.; revising definitions; amending s. 163.3167, F.S.; revising scope of the act; revising and providing duties of local governments and municipalities relating to comprehensive plans; deleting retroactive effect; creating s. 163.3168, F.S.; encouraging local governments to apply for certain innovative planning tools; authorizing the state land planning agency and other appropriate state and regional agencies to use direct and indirect technical assistance; amending s. 163.3171, F.S.; providing legislative intent; amending s. 163.3174, F.S.; deleting certain notice requirements relating to the establishment of local planning agencies by a governing body; amending s. 163.3175, F.S.; providing that certain comments, underlying studies, and reports provided by a military installation's commanding officer are not binding on local governments; providing additional factors for local government consideration in impacts to military installations; clarifying requirements for adopting criteria to address compatibility of lands relating to military installations; amending s. 163.3177, F.S.; revising and providing duties of local governments; revising and providing required and optional elements of comprehensive plans; revising requirements of schedules of capital improvements; revising and providing provisions relating to capital improvements elements; revising major objectives of, and procedures relating to, the local comprehensive planning process; revising and providing required and optional elements of future land use plans; providing required transportation elements; revising and providing required conservation elements; revising and providing required housing elements; revising and providing required coastal management elements; revising and providing required intergovernmental coordination elements; amending s. 163.31777, F.S.; revising requirements relating to public schools' interlocal agreements; deleting duties of the Office of Educational Facilities, the state land planning agency, and local governments relating to such agreements; deleting an exemption; amending s. 163.3178, F.S.; deleting a deadline for local governments to amend coastal management elements and future land use maps; amending s. 163.3180, F.S.; revising and providing provisions relating to concurrency; revising concurrency requirements; revising application and findings; revising local government requirements; revising and providing requirements relating to transportation concurrency, transportation concurrency exception areas, urban infill, urban redevelopment, urban service, downtown revitalization areas, transportation concurrency management areas, long-term transportation and school concurrency management systems, development of regional impact, school concurrency, service areas, financial feasibility, interlocal agreements, and

land planning agency no later than the date of preapplication conference or the submission of the proposed change under subsection (19).

2. When filing the application for development approval or the proposed change, the developer must include a written request for comprehensive plan amendments that would be necessitated by the development-of-regional-impact approvals sought. That request must include data and analysis upon which the applicable local government can determine whether to transmit the comprehensive plan amendment pursuant to s. 163.3184.

3. The local government must advertise a public hearing on the transmittal within 30 days after filing the application for development approval or the proposed change and must make a determination on the transmittal within 60 days after the initial filing unless that time is extended by the developer.

4. If the local government approves the transmittal, procedures set forth in s. 163.3184(4)(b)-(d)(3)-(6) must be followed.

5. Notwithstanding subsection (11) or subsection (19), the local government may not hold a public hearing on the application for development approval or the proposed change or on the comprehensive plan amendments sooner than 30 days from receipt of the response from the state land planning agency pursuant to s. 163.3184(4)(d)(6). ~~The 60-day time period for local governments to adopt, adopt with changes, or not adopt plan amendments pursuant to s. 163.3184(7) shall not apply to concurrent plan amendments provided for in this subsection.~~

6. The local government must hear both the application for development approval or the proposed change and the comprehensive plan amendments at the same hearing. However, the local government must take action separately on the application for development approval or the proposed change and on the comprehensive plan amendments.

7. Thereafter, the appeal process for the local government development order must follow the provisions of s. 380.07, and the compliance process for the comprehensive plan amendments must follow the provisions of s. 163.3184.

(15) LOCAL GOVERNMENT DEVELOPMENT ORDER.—

(g) A local government shall not issue permits for development subsequent to the buildout date contained in the development order unless:

1. The proposed development has been evaluated cumulatively with existing development under the substantial deviation provisions of subsection (19) subsequent to the termination or expiration date;

2. The proposed development is consistent with an abandonment of development order that has been issued in accordance with the provisions of subsection (26);

3. The development of regional impact is essentially built out, in that all the mitigation requirements in the development order have been satisfied, all developers are in compliance with all applicable terms and conditions of the development order except the buildout date, and the amount of proposed development that remains to be built is less than 40 ~~20~~ percent of any applicable development-of-regional-impact threshold; or

4. The project has been determined to be an essentially built-out development of regional impact through an agreement executed by the developer, the state land planning agency, and the local government, in accordance with s. 380.032, which will establish the terms and conditions under which the development may be continued. If the project is determined to be essentially built out, development may proceed pursuant to the s. 380.032 agreement after the termination or expiration date contained in the development order without further development-of-regional-impact review subject to the local government comprehensive plan and land development regulations or subject to a modified development-of-regional-impact analysis. As used in this paragraph, an "essentially built-out" development of regional impact means:

a. The developers are in compliance with all applicable terms and conditions of the development order except the buildout date; and

b.(I) The amount of development that remains to be built is less than the substantial deviation threshold specified in paragraph (19)(b) for each individual land use category, or, for a multiuse development, the sum total of all unbuilt land uses as a percentage of the applicable substantial deviation threshold is equal to or less than 100 percent; or

(II) The state land planning agency and the local government have agreed in writing that the amount of development to be built does not create the likelihood of any additional regional impact not previously reviewed.

The single-family residential portions of a development may be considered "essentially built out" if all of the workforce housing obligations and all of the infrastructure and horizontal development have been completed, at least 50 percent of the dwelling units have been completed, and more than 80 percent of the lots have been conveyed to third-party individual lot owners or to individual builders who own no more than 40 lots at the time of the determination. The mobile home park portions of a development may be considered "essentially built out" if all the infrastructure and horizontal development has been completed, and at least 50 percent of the lots are leased to individual mobile home owners.

(19) SUBSTANTIAL DEVIATIONS.—

(b) Any proposed change to a previously approved development of regional impact or development order condition which, either individually or cumulatively with other changes, exceeds any of the following criteria shall constitute a substantial deviation and shall cause the development to

(c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review.

Section 54. 1. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation.

2. In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension.

For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time. ~~In recognition of the 2007 real estate market conditions, all phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection.~~

(e)1. Except for a development order rendered pursuant to subsection (22) or subsection (25), a proposed change to a development order that individually or cumulatively with any previous change is less than any numerical criterion contained in subparagraphs (b) ~~1-10, 1-13~~ and does not exceed any other criterion, or that involves an extension of the buildout date of a development, or any phase thereof, of less than 5 years is not subject to

paragraph. Any jurisdiction that was placed on the dense urban land area list before the effective date of this act shall remain on the list in accordance with the provisions of this paragraph.

(d) A development that is located partially outside an area that is exempt from the development-of-regional-impact program must undergo development-of-regional-impact review pursuant to this section. However, if the total acreage that is included within the area exempt from development-of-regional-impact review exceeds 85 percent of the total acreage and square footage of the approved development of regional impact, the development-of-regional-impact development order may be rescinded in both local governments pursuant to s. 380.115(1), unless the portion of the development outside the exempt area meets the threshold criteria of a development-of-regional-impact.

(e) In an area that is exempt under paragraphs (a)-(c), any previously approved development-of-regional-impact development orders shall continue to be effective, but the developer has the option to be governed by s. 380.115(1). A pending application for development approval shall be governed by s. 380.115(2). ~~A development that has a pending application for a comprehensive plan amendment and that elects not to continue development-of-regional-impact review is exempt from the limitation on plan amendments set forth in s. 163.3187(1) for the year following the effective date of the exemption.~~

Section 55. Subsection (3) and paragraph (a) of subsection (4) of section 380.0651, Florida Statutes, are amended to read:

380.0651 Statewide guidelines and standards.—

(3) The following statewide guidelines and standards shall be applied in the manner described in s. 380.06(2) to determine whether the following developments shall be required to undergo development-of-regional-impact review:

(a) *Airports.*—

1. Any of the following airport construction projects shall be a development of regional impact:

a. A new commercial service or general aviation airport with paved runways.

b. A new commercial service or general aviation paved runway.

c. A new passenger terminal facility.

2. Lengthening of an existing runway by 25 percent or an increase in the number of gates by 25 percent or three gates, whichever is greater, on a commercial service airport or a general aviation airport with regularly scheduled flights is a development of regional impact. However, expansion of

existing terminal facilities at a nonhub or small hub commercial service airport shall not be a development of regional impact.

3. Any airport development project which is proposed for safety, repair, or maintenance reasons alone and would not have the potential to increase or change existing types of aircraft activity is not a development of regional impact. Notwithstanding subparagraphs 1. and 2., renovation, modernization, or replacement of airport airside or terminal facilities that may include increases in square footage of such facilities but does not increase the number of gates or change the existing types of aircraft activity is not a development of regional impact.

(b) *Attractions and recreation facilities.*—Any sports, entertainment, amusement, or recreation facility, including, but not limited to, a sports arena, stadium, racetrack, tourist attraction, amusement park, or pari-mutuel facility, the construction or expansion of which:

1. For single performance facilities:
  - a. Provides parking spaces for more than 2,500 cars; or
  - b. Provides more than 10,000 permanent seats for spectators.
2. For serial performance facilities:
  - a. Provides parking spaces for more than 1,000 cars; or
  - b. Provides more than 4,000 permanent seats for spectators.

For purposes of this subsection, “serial performance facilities” means those using their parking areas or permanent seating more than one time per day on a regular or continuous basis.

- ~~3. For multiscreen movie theaters of at least 8 screens and 2,500 seats:~~
  - ~~a. Provides parking spaces for more than 1,500 cars; or~~
  - ~~b. Provides more than 6,000 permanent seats for spectators.~~

~~(e) *Industrial plants, industrial parks, and distribution, warehousing or wholesaling facilities.*—Any proposed industrial, manufacturing, or processing plant, or distribution, warehousing, or wholesaling facility, excluding wholesaling developments which deal primarily with the general public onsite, under common ownership, or any proposed industrial, manufacturing, or processing activity or distribution, warehousing, or wholesaling activity, excluding wholesaling activities which deal primarily with the general public onsite, which:~~

- ~~1. Provides parking for more than 2,500 motor vehicles; or~~
- ~~2. Occupies a site greater than 320 acres.~~

~~(c)~~(d) *Office development.*—Any proposed office building or park operated under common ownership, development plan, or management that:

1. Encompasses 300,000 or more square feet of gross floor area; or
2. Encompasses more than 600,000 square feet of gross floor area in a county with a population greater than 500,000 and only in a geographic area specifically designated as highly suitable for increased threshold intensity in the approved local comprehensive plan.

~~(d)~~(e) *Retail and service development.*—Any proposed retail, service, or wholesale business establishment or group of establishments which deals primarily with the general public onsite, operated under one common property ownership, development plan, or management that:

1. Encompasses more than 400,000 square feet of gross area; or
2. Provides parking spaces for more than 2,500 cars.

~~(f)~~ *Hotel or motel development.*—

~~1. Any proposed hotel or motel development that is planned to create or accommodate 350 or more units; or~~

~~2. Any proposed hotel or motel development that is planned to create or accommodate 750 or more units, in a county with a population greater than 500,000.~~

~~(e)~~(g) *Recreational vehicle development.*—Any proposed recreational vehicle development planned to create or accommodate 500 or more spaces.

~~(f)~~(h) *Multiuse development.*—Any proposed development with two or more land uses where the sum of the percentages of the appropriate thresholds identified in chapter 28-24, Florida Administrative Code, or this section for each land use in the development is equal to or greater than 145 percent. Any proposed development with three or more land uses, one of which is residential and contains at least 100 dwelling units or 15 percent of the applicable residential threshold, whichever is greater, where the sum of the percentages of the appropriate thresholds identified in chapter 28-24, Florida Administrative Code, or this section for each land use in the development is equal to or greater than 160 percent. This threshold is in addition to, and does not preclude, a development from being required to undergo development-of-regional-impact review under any other threshold.

~~(g)~~(i) *Residential development.*—No rule may be adopted concerning residential developments which treats a residential development in one county as being located in a less populated adjacent county unless more than 25 percent of the development is located within 2 or less miles of the less populated adjacent county. The residential thresholds of adjacent counties with less population and a lower threshold shall not be controlling on any

3. The projected cost for each project identified in the district facilities work program. For proposed projects for new student stations, a schedule shall be prepared comparing the planned cost and square footage for each new student station, by elementary, middle, and high school levels, to the low, average, and high cost of facilities constructed throughout the state during the most recent fiscal year for which data is available from the Department of Education.

4. A schedule of estimated capital outlay revenues from each currently approved source which is estimated to be available for expenditure on the projects included in the district facilities work program.

5. A schedule indicating which projects included in the district facilities work program will be funded from current revenues projected in subparagraph 4.

6. A schedule of options for the generation of additional revenues by the district for expenditure on projects identified in the district facilities work program which are not funded under subparagraph 5. Additional anticipated revenues may include effort index grants, SIT Program awards, and Classrooms First funds.

Section 72. Rules 9J-5 and 9J-11.023, Florida Administrative Code, are repealed, and the Department of State is directed to remove those rules from the Florida Administrative Code.

SB 300

Section 73. (1) Any permit or any other authorization that was extended under section 14 of chapter 2009-96, Laws of Florida, as reauthorized by section 47 of chapter 2010-147, Laws of Florida, is extended and renewed for an additional period of 2 years after its previously scheduled expiration date. This extension is in addition to the 2-year permit extension provided under section 14 of chapter 2009-96, Laws of Florida, as reauthorized by section 47 of chapter 2010-147, Laws of Florida. This section does not prohibit conversion from the construction phase to the operation phase upon completion of construction. Permits that were extended by a total of 4 years pursuant to section 14 of chapter 2009-96, Laws of Florida, as reauthorized by section 47 of chapter 2010-147, Laws of Florida, and by section 46 of chapter 2010-147, Laws of Florida, cannot be further extended under this provision.

2-yr extension in addition to SB 300 2-yr extension (only applies if not 2-yr extension under SB 300 or its reauthorization)

(2) The commencement and completion dates for any required mitigation associated with a phased construction project shall be extended such that mitigation takes place in the same timeframe relative to the phase as originally permitted.

(3) The holder of a valid permit or other authorization that is eligible for the 2-year extension shall notify the authorizing agency in writing by December 31, 2011, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization.

- (4) The extension provided for in subsection (1) does not apply to:
- (a) A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.
- (b) A permit or other authorization held by an owner or operator determined to be in significant noncompliance with the conditions of the permit or authorization as established through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or other equivalent action by the authorizing agency.
- (c) A permit or other authorization, if granted an extension, that would delay or prevent compliance with a court order.
- (5) Permits extended under this section shall continue to be governed by rules in effect at the time the permit was issued, except if it is demonstrated that the rules in effect at the time the permit was issued would create an immediate threat to public safety or health. This subsection applies to any modification of the plans, terms, and conditions of the permit that lessens the environmental impact, except that any such modification may not extend the time limit beyond 2 additional years.
- (6) This section does not impair the authority of a county or municipality to require the owner of a property that has notified the county or municipality of the owner's intention to receive the extension of time granted pursuant to this section to maintain and secure the property in a safe and sanitary condition in compliance with applicable laws and ordinances.

Section 74. (1) The state land planning agency, within 60 days after the effective date of this act, shall review any administrative or judicial proceeding filed by the agency and pending on the effective date of this act to determine whether the issues raised by the state land planning agency are consistent with the revised provisions of part II of chapter 163, Florida Statutes. For each proceeding, if the agency determines that issues have been raised that are not consistent with the revised provisions of part II of chapter 163, Florida Statutes, the agency shall dismiss the proceeding. If the state land planning agency determines that one or more issues have been raised that are consistent with the revised provisions of part II of chapter 163, Florida Statutes, the agency shall amend its petition within 30 days after the determination to plead with particularity as to the manner in which the plan or plan amendment fails to meet the revised provisions of part II of chapter 163, Florida Statutes. If the agency fails to timely file such amended petition, the proceeding shall be dismissed.

(2) In all proceedings that were initiated by the state land planning agency before the effective date of this act, and continue after that date, the local government's determination that the comprehensive plan or plan amendment is in compliance is presumed to be correct, and the local government's determination shall be sustained unless it is shown by a

preponderance of the evidence that the comprehensive plan or plan amendment is not in compliance.

Section 75. All local governments shall be governed by the revised provisions of s. 163.3191, Florida Statutes, notwithstanding a local government's previous failure to timely adopt its evaluation and appraisal report or evaluation and appraisal report-based amendments by the due dates previously established by the state land planning agency.

Section 76. A comprehensive plan amendment adopted pursuant to s. 163.32465, Florida Statutes, subject to voter referendum by local charter, and found in compliance before the effective date of this act, may be readopted by ordinance, shall become effective upon approval by the local government, and is not subject to review or challenge pursuant to the provisions of s. 163.32465 or s. 163.3184, Florida Statutes.

Section 77. The Department of Transportation shall develop and submit to the President of the Senate and the Speaker of the House of Representatives, no later than December 15, 2011, a report on recommended changes to or alternatives to the calculation of the proportionate share contribution in s. 163.3180(5)(h)3., Florida Statutes. The department's recommendations, if any, shall be designed to ensure development contributions to mitigate impacts on the transportation system are assessed in predictable, equitable and fair manner and shall be developed in consultation with developers and representatives of local governments.

Section 78. If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

Section 79. (1) Except as provided in subsection (4), and in recognition of 2011 real estate market conditions, any building permit, and any permit issued by the Department of Environmental Protection or by a water management district pursuant to part IV of chapter 373, Florida Statutes, which has an expiration date from January 1, 2012, through January 1, 2014, is extended and renewed for a period of 2 years after its previously scheduled date of expiration. This extension includes any local government-issued development order or building permit including certificates of levels of service. This section does not prohibit conversion from the construction phase to the operation phase upon completion of construction. This extension is in addition to any existing permit extension. Extensions granted pursuant to this section; section 14 of chapter 2009-96, Laws of Florida, as reauthorized by section 47 of chapter 2010-147, Laws of Florida; section 46 of chapter 2010-147, Laws of Florida; or section 73 of this act shall not exceed 4 years in total. Further, specific development order extensions granted pursuant to s. 380.06(19)(c)2., Florida Statutes, cannot be further extended by this section.

(2) The commencement and completion dates for any required mitigation associated with a phased construction project are extended so that mitigation

*2-yr extension  
for new window,  
but cannot combine  
w/ other extensions  
to exceed 4  
yrs; cannot use  
this extension  
for DR's  
(but can use the  
2-yr one?)*

takes place in the same timeframe relative to the phase as originally permitted.

(3) The holder of a valid permit or other authorization that is eligible for the 2-year extension must notify the authorizing agency in writing by December 31, 2011, identifying the specific authorization for which the holder intends to use the extension and the anticipated timeframe for acting on the authorization.

(4) The extension provided for in subsection (1) does not apply to:

(a) A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.

(b) A permit or other authorization held by an owner or operator determined to be in significant noncompliance with the conditions of the permit or authorization as established through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or other equivalent action by the authorizing agency.

(c) A permit or other authorization, if granted an extension that would delay or prevent compliance with a court order.

(5) Permits extended under this section shall continue to be governed by the rules in effect at the time the permit was issued, except if it is demonstrated that the rules in effect at the time the permit was issued would create an immediate threat to public safety or health. This provision applies to any modification of the plans, terms, and conditions of the permit which lessens the environmental impact, except that any such modification does not extend the time limit beyond 2 additional years.

(6) This section does not impair the authority of a county or municipality to require the owner of a property that has notified the county or municipality of the owner's intent to receive the extension of time granted pursuant to this section to maintain and secure the property in a safe and sanitary condition in compliance with applicable laws and ordinances.

Section 80. The Division of Statutory Revision is directed to replace the phrase "the effective date of this act" wherever it occurs in this act with the date this act becomes a law.

Section 81. This act shall take effect upon becoming a law.

Approved by the Governor June 2, 2011.

Filed in Office Secretary of State June 2, 2011.

Ch. 2011-142

LAWS OF FLORIDA

Ch. 2011-142

Section 485. Sections 288.1221, 288.1222, 288.1223, 288.1224, 288.1227, and 288.1229, Florida Statutes, are repealed.

Section 486. Section 288.7011, Florida Statutes, is repealed.

Section 487. Sections 288.7065, 288.707, 288.708, 288.709, 288.7091, and 288.712, Florida Statutes, are repealed.

Section 488. Section 288.12295, Florida Statutes, is repealed.

Section 489. Section 288.90151, Florida Statutes, is repealed.

Section 490. Section 288.9415, Florida Statutes, is repealed.

Section 491. Sections 409.944, 409.945, and 409.946, Florida Statutes, are repealed.

Section 492. Section 943.402, Florida Statutes, is repealed.

Section 493. Section 42 of chapter 2005-71, Laws of Florida, and Section 1 of chapter 2005-261, Laws of Florida, are repealed.

Section 494. Section 252.363, Florida Statutes, is created to read:

252.363 Tolling and extension of permits and other authorizations.—

(1)(a) The declaration of a state of emergency by the Governor tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following:

1. The expiration of a development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted pursuant to s. 380.06(19)(c).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization qualifying for extension.

(c) If the permit or other authorization for a phased construction project is extended, the commencement and completion dates for any required mitigation are extended such that the mitigation activities occur in the same timeframe relative to the phase as originally permitted.

(d) This subsection does not apply to:

1. A permit or other authorization for a building, improvement, or development located outside the geographic area for which the declaration of a state of emergency applies.

2. A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.

3. The holder of a permit or other authorization who is determined by the authorizing agency to be in significant noncompliance with the conditions of the permit or other authorization through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or an equivalent action.

4. A permit or other authorization that is subject to a court order specifying an expiration date or buildout date that would be in conflict with the extensions granted in this section.

(2) A permit or other authorization that is extended shall be governed by the laws, administrative rules, and ordinances in effect when the permit was issued, unless any party or the issuing authority demonstrates that operating under those laws, administrative rules, or ordinances will create an immediate threat to the public health or safety.

(3) This section does not restrict a county or municipality from requiring property to be maintained and secured in a safe and sanitary condition in compliance with applicable laws, administrative rules, or ordinances.

Section 495. Subsection (6) is added to section 253.02, Florida Statutes, to read:

253.02 Board of trustees; powers and duties.—

(6) The board of trustees shall report to the Legislature its recommendations as to whether any existing multistate compact for mutual aid should be modified or whether the state should enter into a new multistate compact to address the impacts of the Deepwater Horizon event or potentially similar future incidents. The report shall be submitted to the Legislature by February 1, 2012, and updated annually thereafter for 5 years.

Section 496. Commission on Oil Spill Response Coordination.—

(1) The Board of Trustees of the Internal Improvement Trust Fund shall appoint a commission consisting of a representative of the office of each board member, a representative of each state agency that directly and materially

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 11-128 (Emergency Management/Wildfires)

**WHEREAS**, much of Florida, including the Florida Panhandle, Northeast Florida, East Central Florida and South Florida, are currently experiencing significant drought conditions; and

**WHEREAS**, the Keetch-Byram Drought Index (KBDI) average for the State is 649 (0 represents saturated soil and vegetation conditions; 800 represents extremely dry soil and vegetation conditions), with the highest values across Northwest Florida and along the Florida East Coast; and

**WHEREAS**, according to the U.S. Drought Monitor, extreme to exceptional drought conditions are expanding across Southeast Florida and North Florida and are likely to continue to worsen through the next few weeks; and

**WHEREAS**, at present, the Division of Forestry has advised that there are approximately 310 active wildfires burning approximately 115,583 acres throughout the State; and

**WHEREAS**, a brush fire in the Espanola area of Flagler County has been burning since May 30, 2011, and has now burned an estimated 3,000 acres; and

**WHEREAS**, a large brush fire in the Okefenokee Swamp area of southern Georgia has moved into Baker County in Florida and has burned an estimated 168,423 acres, including 600 acres in Florida; and

**WHEREAS**, multiple fires in Levy County have been burning since April 26, 2011, and have now burned an estimated 4,594 acres; and

**WHEREAS**, a brush fire in the Everglades area of inland Miami-Dade near the Miccosukee Indian Reservation has been burning since June 5, 2011, and has now burned an estimated 68,000 acres; and

**WHEREAS**, precautions may be needed to protect the lives and property of the people in threatened communities, the environment, and the general welfare of the State of Florida;

**NOW, THEREFORE, I, RICK SCOTT**, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

**Section 1.** Because of the foregoing conditions, I declare that the ongoing danger of wildfires continues to threaten the State of Florida with a major disaster, and that as a consequence of this danger a state of emergency exists in the State of Florida.

**Section 2.** I designate the Director of the Division of Emergency Management as the State Coordinating Officer and delegate to the Division of Emergency Management the overall authority to coordinate the assignment of firefighting support missions requested by the Division of Forestry. I place all aviation and other firefighting resources under the operational authority of the Division of Forestry while this Executive Order remains in effect, and I designate the Director of the Division of Forestry as Incident Commander for this emergency. All state, regional, and local governmental agencies shall place any and all available resources under the direction of the State Coordinating Officer to support the Division of Forestry and other firefighting agencies in controlling the wildfires.

**Section 3.** I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him or her to activate the state's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36 (1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he or she shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Office shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-.933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency.

B. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

C. Direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency;

D. Designate Deputy State Coordinating Officers.

The State Coordinating Officer shall have the authority to enter such orders as may be

needed to implement any or all of the foregoing powers.

**Section 4.** I order the Adjutant General to activate the Florida National Guard for the duration of this emergency, and I place the National Guard under the coordination and direction of the State Coordinating Officer. I order the Adjutant General to provide such aviation and ground resources of the Florida National Guard as the Division of Forestry may designate for firefighting activities, and to maintain these resources in a state of immediate operational readiness. I order the Florida National Guard to coordinate the use of its aviation resources with the Division of Forestry in performing firefighting support missions while this Executive Order remains in effect.

**Section 5.** I delegate to the Division of Forestry the authority to coordinate and direct such aviation and ground resources of any and all state, regional, and local governmental agencies, including law enforcement agencies, as the Division may designate for firefighting activities, and I place all such aviation and ground resources under the operational authority of the Division of Forestry while this Executive Order remains in effect. The National Guard, all other state agencies, and all regional and local agencies, including law enforcement agencies, which propose to operate aircraft in the vicinity of ongoing wildfires will contact the local field unit of the Division of Forestry to receive the current Aviation Communications Plan or the current State Aviation Plan, as applicable. All such aircraft will adhere to the applicable plan to ensure that the specified frequencies are monitored, and will follow all instructions of the Division of Forestry's local field unit at the scene.

**Section 6.** I also find that the special duties and responsibilities resting upon some state, regional, and local agencies and other governmental bodies in responding to the emergency may require them to deviate from the statutes, rules, ordinances, and orders they

administer. I delegate to the state and regional agencies the authority to waive or deviate from such statutes, rules, or agency orders to the extent that such actions are needed to cope with this emergency, including, but not limited to, any and all statutes, rules or orders which affect budgeting, leasing, printing, purchasing, travel, conditions of employment, and the compensation of employees. I delegate to county, regional and local governmental agencies the authority to likewise waive or deviate from their respective rules, ordinances or orders. Any waiver of statutes, rules, ordinances, or orders shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty (30) days from the date of this executive order unless extended by the agency in increments not exceeding thirty (30) days, and in no event shall remain in effect beyond the date of effectiveness of this order, as extended. All state governmental agencies exercising this authority in response to this emergency shall advise the State Coordinating Officer as soon as is practicable.

Without limiting the generality of the foregoing, I order the following:

A. I give all agencies whose employees are certified by the American Red Cross as disaster service volunteers within the meaning of Section 110.120(3), Florida Statutes, the authority to release any such employees for such service as requested by the American Red Cross as needed to meet the emergency.

B. I authorize the Department of Transportation (Department) to waive the collection of tolls and other fees and charges for the use of the Turnpike and other public highways, to the extent such waiver may be needed to provide emergency assistance or facilitate the evacuation of the affected counties; to reverse the flow of traffic or close any and all highways and portions of highways as may be needed for the safe and efficient

transportation of evacuees to those counties which the State Coordinating Officer may designate as destination counties for evacuees in this emergency; to suspend enforcement of the registration requirements pursuant to section(s) 316.545(4) and 320.0715, Florida Statutes, for commercial motor vehicles that enter Florida to provide emergency services or supplies, to transport emergency equipment, supplies or personnel, or to transport FEMA mobile homes or office style mobile homes into or from Florida; to waive the hours of service requirements for such vehicles; and to waive by special permit the warning signal requirements in the Utility Accommodations Manual to accommodate public utility companies from other jurisdictions which render assistance in restoring vital services. The Department shall also have the authority to waive the size and weight restrictions for divisible loads on any vehicles transporting emergency equipment, services, and supplies or burned timber for harvesting, allowing the establishment of alternate size and weight restrictions for all such vehicles for the duration of the emergency. In doing so, the Department shall issue permits and such vehicles shall be subject to such special conditions as the Department may endorse on any such permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, or relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified in this Executive Order, or from any statute, rule, order or other legal requirement not specifically waived herein or by supplemental order by the State Coordinating Officer.

C. I authorize the Executive Director of the Department Highway Safety and Motor Vehicles to suspend the International Registration Plan requirements pursuant to section 320.0715, Florida Statutes, and the license fees or taxes imposed on vehicles pursuant

to Chapter 207, Florida Statutes, as they relate to commercial motor vehicles that enter Florida to provide emergency assistance or services, or transport emergency equipment or personnel.

D. In accordance with section 465.0275, Florida Statutes, pharmacists are authorized to dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state or local agency but who do not reside in an area or county covered by this Executive Order.

E. I give all agency heads the authority to suspend the effect of any statute, rule, ordinance, or order, to the extent needed to procure any and all necessary supplies, commodities, services, temporary premises, and other resources, include, but not limited to, any and all statutes, rules, ordinances, or orders which affect budgeting, leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees, but any statute, rule, ordinance, or order shall be suspended only to the extent necessary to ensure the timely performance of disaster response functions as prescribed in the State Comprehensive Emergency Plan, or as directed by the State Coordinating Officer; however, any waiver of statutes, rules, or ordinances shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty (30) days from the date of this Executive Order unless extended in increments of no more than thirty (30) days by the agency, and in no event shall remain in effect beyond the date of effectiveness of this order, as extended.

F. I give all state agency heads responsible for the use of state buildings and facilities the authority to close such buildings and facilities in those portions of the state affected by this emergency, to the extent to meet this emergency.

G. I give all state agency heads the authority to abrogate the time requirements, notice requirements, and deadlines for final action on applications for permits, licenses, rates, and other approvals under any statutes or rules under which such application are deemed to be approved unless disapproved in writing by specified deadlines, and all such time requirements that have not yet expired as of the date of this Executive Order are suspended and tolled to the extent needed to meet this emergency.

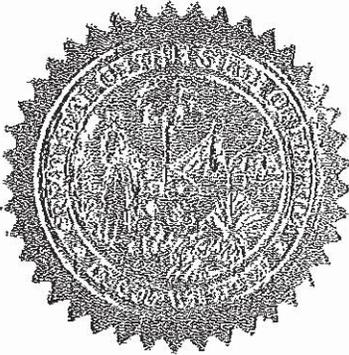
**Section 7.** I designate all state, regional and local governmental facilities including, but not limited to, all public elementary and secondary schools, all Community Colleges, and all State Universities, at the discretion of the State Coordinating Officer, for use as shelters to ensure the proper reception and care of all evacuees.

**Section 8.** I find that the demands placed upon funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and may be inadequate to pay the costs of this disaster. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

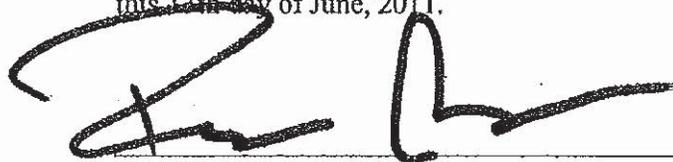
**Section 9.** All state agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

**Section 10.** Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

**Section 11.** All actions taken by the Director of the Division of Emergency Management with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty (60) days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 13th day of June, 2011.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

2011 JUN 13 PM 5:00  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

FILED

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 11-172

(Emergency Management/Extension of Executive Order 11-128)

WHEREAS, the State of Florida continues to recover from the cumulative impact of wildfires throughout the State; and

WHEREAS, on June 13, 2011, Executive Order 11-128 was issued due to the wildfires and extreme drought conditions; and

WHEREAS, the Executive Order will expire on August 12, 2011, unless extended; and

WHEREAS, the Florida Forest Service has advised that the removal, salvage, and harvesting of timber from those areas impacted by fires is needed to mitigate future wildfire hazards, salvage valuable burned timber still standing, and make those areas ready for reforestation, and that the timeframe in which to remove the timber prior to the onset of mold, wood boring insects, and decay is short; and

WHEREAS, the growing of timber and timber by-product is a large agricultural industry in the State of Florida and the inability to remove timber could have a significant impact on the economy of the State.

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare that the effects of wildfires and drought conditions continue to threaten the State of Florida and as a consequence of this danger a

state of emergency exists in the State of Florida. Therefore, I extend Executive Order 11-128 for sixty (60) days from the date of this Order, but only to the following extent:

A. I designate the Director of the Division of Emergency Management as the State Coordinating Officer and delegate to the Division of Emergency Management the overall authority to coordinate the assignment of firefighting support missions requested by the Florida Forest Service. I place all aviation and other firefighting resources under the operational authority of the Florida Forest Service while this Executive Order remains in effect, and I designate the Director of the Florida Forest Service as Incident Commander for this emergency. All state, regional, and local governmental agencies shall place any and all available resources under the direction of the State Coordinating Officer to support the Florida Forest Service and other firefighting agencies in controlling the wildfires;

B. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to activate the state's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

1. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-.933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate

the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency;

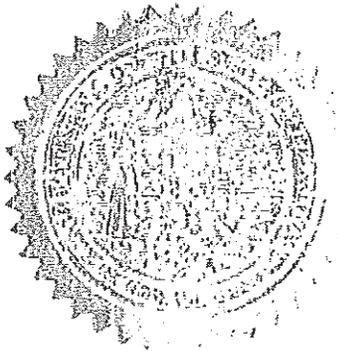
2. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency;
3. Direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency;
4. Designate Deputy State Coordinating Officers; and
5. Enter into such order as may be needed to implement any or all of the foregoing powers;

C. I authorize the Department of Transportation to waive the size and weight restrictions for divisible loads on any vehicles transporting burned timber for harvesting, allowing the establishment of alternate size and weight restrictions for all such vehicles for the duration of the emergency. In doing so, the Department shall issue permits and such vehicles shall be subject to such special conditions as the Department may endorse on any such permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, or relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified in this Executive Order, or from any statute, rule, order, or other legal requirement not specifically waived herein or by supplemental order by the State Coordinating Officer;

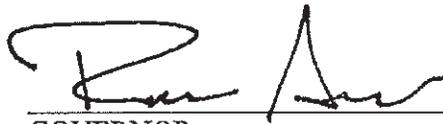
D. I also find that the special duties and responsibilities resting upon the Department of Agriculture and Consumer Services and the Division of Emergency Management in responding to the emergency may require them to deviate from the statutes, rules, ordinances, and orders

they administer. I authorize the Department of Agriculture and Consumer Services (as it relates to operations of the Florida Forest Service in responding to wildfires) and the Division of Emergency Management to waive or deviate from such statutes, rules, or agency orders to the extent that such actions are needed to cope with this emergency, including, but not limited to, any and all statutes, rules or orders which affect budgeting, leasing, printing, purchasing, travel, conditions of employment, and the compensation of employees. Any statute, rule, ordinance, or order shall be suspended only to the extent necessary to ensure the timely performance of disaster response functions as prescribed in the State Comprehensive Emergency Plan, or as directed by the State Coordinating Officer; however, any waiver of statutes, rules, or ordinances shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in thirty (30) days from the date of this Executive Order unless extended in increments of no more than thirty (30) days by the agency, and in no event shall remain in effect beyond the date of effectiveness of this order, as extended.

Section 2. This Executive Order shall expire sixty (60) days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 5th day of August, 2011.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA

2011 AUG - 5 AM 11: 05

FILED

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 11-202 (Emergency Management/Extension of Executive Order 11-172)

WHEREAS, the State of Florida continues to recover from the cumulative impact of wildfires throughout the State; and

WHEREAS, on August 5, 2011, Executive Order 11-128 was extended by Executive Order 11-172, due to the wildfires and extreme drought conditions;

WHEREAS, Executive Order 11-172 will expire on October 4, 2011, unless extended;

WHEREAS, the Florida Forest Service has advised that the removal, salvage, and harvesting of timber from those areas impacted by fires is needed to mitigate future wildfire hazards, salvage valuable burned timber still standing, and make those areas ready for reforestation, and that the timeframe in which to remove the timber prior to the onset of mold, wood boring insects, and decay is short; and

WHEREAS, the growing of timber and timber by-product is a large agricultural industry in the State of Florida and the inability to remove timber could have a significant impact on the economy of the State.

NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. Because of the foregoing conditions, I declare that the effects of wildfires and drought conditions continue to threaten the State of Florida and as a consequence of this danger a

state of emergency exists in the State of Florida. Therefore, I extend Executive Order 11-172 for thirty (30) days from the date of this Order, but only to the following extent:

A. I designate the Director of the Division of Emergency Management as the State Coordinating Officer and delegate to the Division of Emergency Management the overall authority to coordinate the assignment of firefighting support missions requested by the Florida Forest Service. I place all aviation and other firefighting resources under the operational authority of the Florida Forest Service while this Executive Order remains in effect, and I designate the Director of the Florida Forest Service as Incident Commander for this emergency. All state, regional, and local governmental agencies shall place any and all available resources under the direction of the State Coordinating Officer to support the Florida Forest Service and other firefighting agencies in controlling the wildfires;

B. I designate the Director of the Division of Emergency Management as the State Coordinating Officer for the duration of this emergency and direct him to activate the state's Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)–(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

1. Invoke and administer the Emergency Management Assistance Compact ("EMAC") (sections 252.921-.933, Florida Statutes) and other compacts and agreements existing between the State of Florida and other states, and the further authority to coordinate

the allocation of resources from such other states that are made available to Florida under such compacts and agreements so as best to meet this emergency;

2. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency;
3. Direct all state, regional and local governmental agencies, including law enforcement agencies, to identify personnel needed from those agencies to assist in meeting the needs created by this emergency, and to place all such personnel under the direct command and coordination of the State Coordinating Officer to meet this emergency;
4. Designate Deputy State Coordinating Officers; and
5. Enter into such order as may be needed to implement any or all of the foregoing powers;

C. I authorize the Department of Transportation to waive the size and weight restrictions for divisible loads on any vehicles transporting burned timber for harvesting, allowing the establishment of alternate size and weight restrictions for all such vehicles for the duration of the emergency. In doing so, the Department shall issue permits and such vehicles shall be subject to such special conditions as the Department may endorse on any such permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, or relieve any vehicle or the carrier, owner, or driver of any vehicle from compliance with any restrictions other than those specified in this Executive Order, or from any statute, rule, order, or other legal requirement not specifically waived herein or by supplemental order by the State Coordinating Officer;

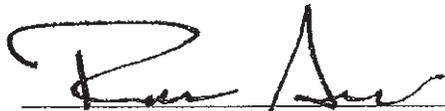
D. I also find that the special duties and responsibilities resting upon the Department of Agriculture and Consumer Services and the Division of Emergency Management in responding to the emergency may require them to deviate from the statutes, rules, ordinances, and orders

they administer. I authorize the Department of Agriculture and Consumer Services (as it relates to operations of the Florida Forest Service in responding to wildfires) and the Division of Emergency Management to waive or deviate from such statutes, rules, or agency orders to the extent that such actions are needed to cope with this emergency, including, but not limited to, any and all statutes, rules or orders which affect budgeting, leasing, printing, purchasing, travel, conditions of employment, and the compensation of employees. Any statute, rule, ordinance, or order shall be suspended only to the extent necessary to ensure the timely performance of disaster response functions as prescribed in the State Comprehensive Emergency Plan, or as directed by the State Coordinating Officer; however, any waiver of statutes, rules, or ordinances shall be by emergency rule or order in accordance with sections 120.54(4) and 252.46, Florida Statutes, and shall expire in fifteen (15) days from the date of this Executive Order unless extended in increments of no more than fifteen (15) days by the agency, and in no event shall remain in effect beyond the date of effectiveness of this order, as extended.

Section 2. This Executive Order shall expire thirty (30) days from this date unless extended.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 4th day of October, 2011.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

FILED  
2011 OCT -4 PM 3:12  
TALLAHASSEE, FLORIDA

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** Wildwood Springs DRI Extension

**REQUESTED ACTION:** Extension of Wildwood Springs DRI due to legislation.

Work Session (Report Only)      **DATE OF MEETING:** 1/9/12  
 Regular Meeting                       Special Meeting

**CONTRACT:**       N/A                      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_              Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

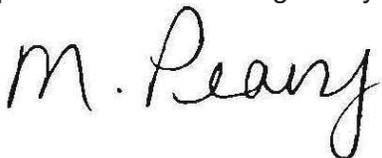
### HISTORY/FACTS/ISSUES:

Dean Barberee with Reader & Partners LLC is requesting a four year ten month extension of the Wildwood Springs DRI (approved by the City Commission on April 11, 2011 effective June 12, 2011) under Section 380.06(19)(c) 2 and Section 252.363, Florida Statutes (2011), per his letter dated December 28, 2011 on behalf of their client, Wildwood Springs, LLC.

Per Section 380.06(19)(c) 2 and Section 252.363, the developer has the right to request an extension for a total period of four years ten months, which would extend phasing and compliance dates as follows:

Phase 1              from 2016 to 2021  
Phase 2              from 2021 to 2026  
Phase 3              from 2026 to 2031  
Compliance        from 12/31/2031 to 10/30/2036

Subsection 1.16 (A) of the Land Development Regulations (LDRs), *Supplemental Regulations*, state that in addition to the requirements of the Code, all development shall meet all applicable requirements of other regulatory agencies and of other City ordinances.



Melanie Peavy  
Development Services Director



Reader & Partners, LLC  
5850 T.G. Lee Boulevard, Suite 200  
Orlando, FL 32822  
p: 407.856.4899 f: 407.856.5185  
readerpartners.com

December 28, 2011

Melanie Peavy  
Development Service Director  
City of Wildwood  
100 N. Main Street  
Wildwood, FL 34785

Re: Wildwood Springs Development of Regional Impact (ARDO as approved by the City of Wildwood on 04/11/2011 effective 6/12/2011) - Notice of Extension

Dear Melanie:

We are submitting this notice pursuant to Section 380.06(19)(c) 2., Florida Statutes (2011) and Section 252.363, Florida Statutes (2011) with regard to legislatively granted extensions for commencement, phase, build out and expiration dates for developments of regional impact.

Section 380.06(19)(c) 2. grants a 4 year extension of commencement, phase, build out and expiration dates and associated mitigation requirements based on 2011 real estate market conditions. Section 252.363 provides for a tolling of permits and other authorizations and associated mitigation requirements for the duration of a declaration of state of emergency by the Governor, and for a six (6) month extension in addition to the tolled period. Pursuant to Executive Orders, the Governor has effectuated an additional 10-month extension for development orders under the provisions of Section 252.363. See Executive Order Numbers 11-128, 11-172, and 11-202.

This letter shall serve to notify the City of Wildwood that Wildwood Springs Development of Regional Impact intends to toll and extend the above-referenced Development Order. Each date evidenced within the Development Order shall be extended for 4 years and 10 months including (but not limited to) all phased dates identified in Section IV A.2 and E.2 Table 3 (Phase 1 from 2016 to 2021; Phase 2 from 2021 to 2026; Phase 3 from 2026 to 2031) as well as the Compliance Date identified in Section VI from 12/31/2031 to 10/30/2036.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dean Barberree', with a long horizontal flourish extending to the right.

Dean Barberree  
Senior Vice President - Reader & Partners, LLC  
Operating Manager for Wildwood Springs, LLC

CC: Linda Shelley – Fowler White Boggs Banker P.A.  
Brad Arnold – Sumter County  
Florida Department of Economic Opportunity

Select Year:  

## The 2011 Florida Statutes

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[Title XVII](#)[Chapter 252](#)[View Entire Chapter](#)

## MILITARY AFFAIRS AND RELATED MATTERS EMERGENCY MANAGEMENT

**252.363 Tolling and extension of permits and other authorizations.—**

(1)(a) The declaration of a state of emergency by the Governor tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following:

1. The expiration of a development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted pursuant to s. [380.06\(19\)\(c\)](#).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization qualifying for extension.

(c) If the permit or other authorization for a phased construction project is extended, the commencement and completion dates for any required mitigation are extended such that the mitigation activities occur in the same timeframe relative to the phase as originally permitted.

(d) This subsection does not apply to:

1. A permit or other authorization for a building, improvement, or development located outside the geographic area for which the declaration of a state of emergency applies.
2. A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.
3. The holder of a permit or other authorization who is determined by the authorizing agency to be in significant noncompliance with the conditions of the permit or other authorization through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or an equivalent action.
4. A permit or other authorization that is subject to a court order specifying an expiration date or buildout date that would be in conflict with the extensions granted in this section.

(2) A permit or other authorization that is extended shall be governed by the laws, administrative rules, and ordinances in effect when the permit was issued, unless any party or the issuing authority demonstrates that operating under those laws, administrative rules, or ordinances will create an immediate threat to the public health or safety.

(3) This section does not restrict a county or municipality from requiring property to be maintained and secured in a safe and sanitary condition in compliance with applicable laws, administrative rules, or ordinances.

**History.**—s. 494, ch. 2011-142.

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10. A 15-percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional-impact review.

11. Any change which would result in development of any area which was specifically set aside in the application for development approval or in the development order for preservation or special protection of endangered or threatened plants or animals designated as endangered, threatened, or species of special concern and their habitat, any species protected by 16 U.S.C. ss. 668a-668d, primary dunes, or archaeological and historical sites designated as significant by the Division of Historical Resources of the Department of State. The refinement of the boundaries and configuration of such areas shall be considered under sub-subparagraph (e)2.j.

The substantial deviation numerical standards in subparagraphs 3., 6., and 9., excluding residential uses, and in subparagraph 10., are increased by 100 percent for a project certified under s. 403.973 which creates jobs and meets criteria established by the <sup>3</sup>Office of Tourism, Trade, and Economic Development as to its impact on an area's economy, employment, and prevailing wage and skill levels. The substantial deviation numerical standards in subparagraphs 3., 4., 5., 6., 9., and 10. are increased by 50 percent for a project located wholly within an urban infill and redevelopment area designated on the applicable adopted local comprehensive plan future land use map and not located within the coastal high hazard area.

<sup>4</sup>(c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review.

1. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation.

→ 2. In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension.

For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time.

## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** Wildwood Springs PD Extension

Extension of Wildwood Springs PD due to legislation.

**REQUESTED ACTION:**

- Work Session (Report Only)  
 Regular Meeting

**DATE OF MEETING:** 1/9/12  
 Special Meeting

**CONTRACT:**

N/A  
Effective Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

Vendor/Entity: \_\_\_\_\_  
Termination Date: \_\_\_\_\_

**BUDGET IMPACT:** \_\_\_\_\_

- Annual  
 Capital  
 N/A

**FUNDING SOURCE:** \_\_\_\_\_

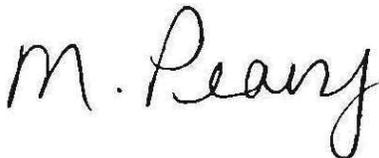
**EXPENDITURE ACCOUNT:** \_\_\_\_\_

**HISTORY/FACTS/ISSUES:**

Dean Barberee with Reader & Partners LLC is requesting a four year ten month extension of the Wildwood Springs PD (Approved by the City Commission on December 12, 2011 via Ordinance O 2011-18) under Section 380.06(19)(c) 2 and Section 252.363, Florida Statutes (2011), per his letter dated December 28, 2011 on behalf of their client, Wildwood Springs, LLC.

Per Section 380.06(19)(c) 2 and Section 252.363, the developer has the right to request an extension for a total period of four years ten months effective December 12, 2017 through October 11, 2022.

Subsection 1.16 (A) of the Land Development Regulations (LDRs), *Supplemental Regulations*, state that in addition to the requirements of the Code, all development shall meet all applicable requirements of other regulatory agencies and of other City ordinances.



Melanie Peavy  
Development Services Director



# READER & PARTNERS

Reader & Partners, LLC  
5850 T.G. Lee Boulevard, Suite 200  
Orlando, FL 32822  
p: 407.856.4899 f: 407.856.5185  
readerpartners.com

December 28, 2011

Melanie Peavy  
Development Service Director  
City of Wildwood  
100 N. Main Street  
Wildwood, FL 34785

Re: Wildwood Springs Planned Development (PD) (As amended by Ordinance O2011-18 approved by the City of Wildwood on 12/12/2011 effective 12/12/2011) - Notice of Extension

Dear Melanie:

We are submitting this notice pursuant to Section 380.06(19)(c) 2., Florida Statutes (2011) and Section 252.363, Florida Statutes (2011) with regard to legislatively granted extensions for commencement, phase, build out and expiration dates for developments of regional impact.

Section 380.06(19)(c) 2. grants a 4 year extension of commencement, phase, build out and expiration dates and associated mitigation requirements based on 2011 real estate market conditions. Section 252.363 provides for a tolling of permits and other authorizations and associated mitigation requirements for the duration of a declaration of state of emergency by the Governor, and for a six (6) month extension in addition to the tolled period. Pursuant to Executive Orders, the Governor has effectuated an additional 10-month extension for development orders under the provisions of Section 252.363. See Executive Order Numbers 11-128, 11-172, and 11-202.

This letter shall serve to notify the City of Wildwood that Wildwood Springs intends to toll and extend the above-referenced Planned Development (PD) approval consistent with the separate extension request to do the same for the Wildwood Springs Development or Regional Impact. The Expiration of Planned Development Agreement per Section 4 O of Ordinance O2011-18 shall be extended for 4 years and 10 months (58 months). This section requires Site Development to begin within 60 months after final adoption of Planned Development Agreement. This will extend from a current calculated expiration date of 12/12/2017 to 10/12/2022.

Thank you for your assistance in this matter.

Sincerely,

Dean Barberree  
Senior Vice President - Reader & Partners, LLC  
Operating Manager for Wildwood Springs, LLC

CC: Chris Roper – Akerman Senterfitt, LLP

Select Year:  

## The 2011 Florida Statutes

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[Title XVII](#)[Chapter 252](#)[View Entire Chapter](#)

## MILITARY AFFAIRS AND RELATED MATTERS EMERGENCY MANAGEMENT

**252.363 Tolling and extension of permits and other authorizations.—**

(1)(a) The declaration of a state of emergency by the Governor tolls the period remaining to exercise the rights under a permit or other authorization for the duration of the emergency declaration. Further, the emergency declaration extends the period remaining to exercise the rights under a permit or other authorization for 6 months in addition to the tolled period. This paragraph applies to the following:

1. The expiration of a development order issued by a local government.
2. The expiration of a building permit.
3. The expiration of a permit issued by the Department of Environmental Protection or a water management district pursuant to part IV of chapter 373.
4. The buildout date of a development of regional impact, including any extension of a buildout date that was previously granted pursuant to s. [380.06\(19\)\(c\)](#).

(b) Within 90 days after the termination of the emergency declaration, the holder of the permit or other authorization shall notify the issuing authority of the intent to exercise the tolling and extension granted under paragraph (a). The notice must be in writing and identify the specific permit or other authorization qualifying for extension.

(c) If the permit or other authorization for a phased construction project is extended, the commencement and completion dates for any required mitigation are extended such that the mitigation activities occur in the same timeframe relative to the phase as originally permitted.

(d) This subsection does not apply to:

1. A permit or other authorization for a building, improvement, or development located outside the geographic area for which the declaration of a state of emergency applies.
2. A permit or other authorization under any programmatic or regional general permit issued by the Army Corps of Engineers.
3. The holder of a permit or other authorization who is determined by the authorizing agency to be in significant noncompliance with the conditions of the permit or other authorization through the issuance of a warning letter or notice of violation, the initiation of formal enforcement, or an equivalent action.
4. A permit or other authorization that is subject to a court order specifying an expiration date or buildout date that would be in conflict with the extensions granted in this section.

(2) A permit or other authorization that is extended shall be governed by the laws, administrative rules, and ordinances in effect when the permit was issued, unless any party or the issuing authority demonstrates that operating under those laws, administrative rules, or ordinances will create an immediate threat to the public health or safety.

(3) This section does not restrict a county or municipality from requiring property to be maintained and secured in a safe and sanitary condition in compliance with applicable laws, administrative rules, or ordinances.

**History.**—s. 494, ch. 2011-142.

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10. A 15-percent increase in the number of external vehicle trips generated by the development above that which was projected during the original development-of-regional-impact review.

11. Any change which would result in development of any area which was specifically set aside in the application for development approval or in the development order for preservation or special protection of endangered or threatened plants or animals designated as endangered, threatened, or species of special concern and their habitat, any species protected by 16 U.S.C. ss. 668a-668d, primary dunes, or archaeological and historical sites designated as significant by the Division of Historical Resources of the Department of State. The refinement of the boundaries and configuration of such areas shall be considered under sub-subparagraph (e)2.j.

The substantial deviation numerical standards in subparagraphs 3., 6., and 9., excluding residential uses, and in subparagraph 10., are increased by 100 percent for a project certified under s. 403.973 which creates jobs and meets criteria established by the <sup>3</sup>Office of Tourism, Trade, and Economic Development as to its impact on an area's economy, employment, and prevailing wage and skill levels. The substantial deviation numerical standards in subparagraphs 3., 4., 5., 6., 9., and 10. are increased by 50 percent for a project located wholly within an urban infill and redevelopment area designated on the applicable adopted local comprehensive plan future land use map and not located within the coastal high hazard area.

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1. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation.

→ 2. In recognition of the 2011 real estate market conditions, at the option of the developer, all commencement, phase, buildout, and expiration dates for projects that are currently valid developments of regional impact are extended for 4 years regardless of any previous extension. Associated mitigation requirements are extended for the same period unless, before December 1, 2011, a governmental entity notifies a developer that has commenced any construction within the phase for which the mitigation is required that the local government has entered into a contract for construction of a facility with funds to be provided from the development's mitigation funds for that phase as specified in the development order or written agreement with the developer. The 4-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. The developer must notify the local government in writing by December 31, 2011, in order to receive the 4-year extension.

For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time.

**ORDINANCE NO. O2011-18**

**AN ORDINANCE OF THE CITY OF WILDWOOD GRANTING A REQUEST FOR A PLANNED DEVELOPMENT PURSUANT TO SECTION 8.6 OF THE LAND DEVELOPMENT REGULATIONS; FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA; OWNED BY WILDWOOD SPRINGS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the City Commission of the City of Wildwood, Florida, as follows:

The application filed by Wildwood Springs, LLC (hereinafter referred as the "Developer") for a Mixed Use Planned Development was heard by and before the City Commission, Wildwood, Florida on this 12th day of December, 2011. Based upon the verified application and supporting documents, analyses, maps, charts, other evidence and instruments, the advice, report and recommendations of the Project Review Committee and the testimony adduced and evidence received at the Public Hearing by the Planning and Zoning Board on November 1, 2011 and otherwise being fully advised, the City Commission does hereby find and determine as follows:

**SECTION 1: GENERAL FINDINGS**

- A. That the Wildwood Springs Planned Development Application (hereinafter referred to as "the Project") was duly and properly filed herein on August 29, 2011.
- B. That all fees required to be borne and paid by the Developer have been paid in accordance with the City of Wildwood Fee Schedule.
- C. That the Project was reviewed by the Project Review Committee and found to meet or exceed the minimum standards of the City's Land Development Regulations, Code of Ordinances, and all other applicable ordinances and regulations.
- D. That the Developer intends to develop property consisting of 1047.51 acres more or less which is situated in Wildwood, Florida. This land is legally described, a true copy of which is attached hereto as "Exhibit A".
- E. That the City approved the Wildwood Springs Amended and Restated Development Order (ARDO) on April 11, 2011.

- F. That the Developer has complied with the conceptual plan provision as required by Section 8.4 of the Land Development Regulations.
- G. That the City has complied with the due notice requirements of Section 3.3(B) 3 of the Land Development Regulations.
- H. That the City has approved and adopted Ordinance 622 with an effective date of June 12, 2011 and Ordinance 622 is hereby amended by this Ordinance.
- I. That nothing in this ordinance shall be construed as waiving or limiting the Developer's right to develop the Property in accordance with the version of the Land Development Regulations in effect prior to July 25, 2011. It is also acknowledged that Developer has the right, but not the obligation, to proceed under all or portions of the version of the Land Development Regulations that were adopted by the City on July 25, 2011, as amended from time to time.

## **SECTION 2: FINDINGS REGARDING PLANNED DEVELOPMENT OVERLAY**

- A. That the Developer has applied for a Mixed Use Planned Development (MUPD) of the lands described in "Exhibit A".
- B. That the Project is consistent with both the City of Wildwood Comprehensive Plan, the intent and purpose of the City of Wildwood Land Development Regulations, the Wildwood Springs Amended and Restated Development Order, and does promote the public health, safety, morals, welfare, and orderly growth of the City of Wildwood.
- C. That the City of Wildwood Land Development Regulations are consistent with the provisions of the "Planned Development Agreement" as hereinafter set forth in Section 3 and Section 4 of this Ordinance. With respect to any conflict between the Land Development Regulations and the "Planned Development Agreement", the provisions of the "Planned Development Agreement" shall govern.
- D. This Ordinance shall become effective immediately upon its approval and adoption by the City Commission.

## **SECTION 3: PLANNED DEVELOPMENT AGREEMENT: GENERAL PROVISIONS**

- A. Development Concept. The Project shall be developed as a Planned Development substantially in accordance with this Ordinance and the Amended and Restated Development Order, as the same may be amended from time to time in accordance with the law. This Planned

Development Agreement shall govern the development of the Project. The Project shall adhere to the Design Standards contained within Section 4 of this Ordinance.

- B. Conceptual Development Plan. The Project includes a conceptual development plan pursuant to Section 8.4 of the Land Development Regulations. The Conceptual Plan prepared by Poulos & Bennett, LLC, dated August 2011 as revised through October 19, 2011 is incorporated into this Ordinance as "Exhibit B". The conceptual development plan is substantially consistent with the Wildwood Springs Amended and Restated Development Order and Policy 1.7.1 of the Future Land Use Element of the City of Wildwood Comprehensive Plan. The conceptual development plan is conceptual in nature and may be affected by compensating storage capacity in flood prone areas, final wetland or protected species location, final engineering, permitting, surveys, and market conditions. As such, the roadway alignment and development areas depicted on the conceptual development plan may be revised prior to and as part of the construction plan review process.
- C. Development Program. The Project shall consist of up to 3,000 residential units and up to 225,000 square feet of retail/office uses. Through the use of the equivalency table contained with the ARDO, the maximum number of residential units may increase to 3,700 provided the units are located in the Mixed Use Commercial or Community Residential areas indicated on the conceptual development plan. The Project shall contain a mix of housing types and styles and will included two or more of the following types: single family detached, single family attached, apartments or condominiums, or units mixed vertically within nonresidential buildings. The project will be phase based on market conditions generally from CR 468 to the south. It is anticipated that the Project will commence with smaller sub phases in general accordance with the timeline outlined in the ARDO.
- D. Zoning Overlay Map. The Planned Development shall be filed and retained for public inspection and shall constitute a supplement to the zoning overlay map pursuant to subsection 8.2(G) of the Land Development Regulations.
- E. Amendments. All substantial modifications requiring an amendment to the Planned Development Agreement shall require review and recommendation of the Planning and Zoning Board and action by the City Commission in the same manner as an Application for Planned Development. The Development Services Director shall have the right to determine and approve non-substantial changes, such as minor adjustments to the phasing plan or development program consistent with the conversion matrix, without the need for an amendment to the Planned

Development Agreement. Determination of whether a change is non-substantial shall be at the discretion of the Development Services Director.

F. Future Approvals. After the Planned Development is recorded, and prior to any construction occurring, a site plan or subdivision preliminary plan depicting the proposed phase or sub phase shall be submitted for review and approval in the manner required by Chapter 4 or Chapter 5 of the Land Development Regulations, whichever Chapter is applicable. Prior to approval of a site plan or a subdivision preliminary plan, the Project shall submit the following:

- 1) Springs Protection Plan. The Applicant shall prepare and submit for approval a springs protection plan pursuant to section 6.9 of the Land Development Regulations to demonstrate the protection of Fenney Spring. The Applicant shall be responsible for any costs associated with review of the springs protection plan.
- 2) Recreation and Open Space Master Plan. In lieu of the City's amenity and open space requirements contained within the Design District Standards, the Applicant may prepare and submit for approval a recreation and open space master plan. The recreation and open space master plan will describe in detail how adequate recreation and open space will be provided within development areas and within the overall Project itself. The master plan will be substantially consistent with the conditions of the Amended and Restated Development Order and this Planned Development Agreement.
- 3) Bicycle and Pedestrian Pathway Master Plan. The Developer will submit a phased bicycle and pedestrian master plan. The overall pathway system will provide for a phased connection between residential areas, mixed use areas, community amenities, Fenney Spring, and CR 468.
- 4) Signage Master Plan. A phased signage master plan shall be prepared and reviewed by the City. Updates may be submitted with each additional subdivision plan.
- 5) Utility/Developer's Agreement. The City of Wildwood will provide water and wastewater services to the Project. The City and the Developer will enter into a Utility or Developer's Agreement to address the provisions of water, wastewater, and reuse water to the Project.

#### **SECTION 4: PLANNED DEVELOPMENT AGREEMENT: PROJECT STANDARDS**

A. General Principles and Standards. The standards contained herein are intended to create a pedestrian-scaled community with a defined sense of place. The general standards accomplish this intent by providing for architectural scale; ensuring connectivity between land uses such that

neighborhoods are walk-able and bike-able, which encourages interaction among its residents; and demonstrating a community commitment to the environment through the preservation of open space.

B. Local Street Network. The concept for the local street system is a “soft” grid of curving streets. This geometry creates a unique neighborhood identity, relates to the existing land forms, and provides for a greater pedestrian friendly environment, and improved street vistas. Streets shall be connected and cul-de-sacs shall be minimized generally to areas limited by specific site or environmental conditions that prevent connections.

- 1) Primary access points are identified on the conceptual development plan and will include a minimum of six (6) vehicular and pedestrian connections: four (4) to C.R. 468; one (1) connection to the eastern boundary; and one (1) connection to the south along C.R. 505. Additional connections will be provided as appropriate based on site constraints and compatibility of adjacent land uses. Precise locations of internal streets shall be determined through the subdivision preliminary plan approval process. On-street parallel parking shall be permitted on all streets unless specifically excluded herein.
- 2) All streets identified on the conceptual development plan as well as future neighborhood streets not yet identified, shall be Local Streets and shall be based on the Local Street standards identified herein on the Typical Road Cross Sections incorporated into this Ordinance as “Exhibit C”. Final selection of specific road cross sections shall be set at each phase site plan approval and will be based on the standards. Structural criteria for these road sections will be specified by the Project engineer and will be generally consistent with the most comparable City of Wildwood street standards.
- 3) Walking is considered a fundamental mode of transportation and shall be considered in designing the local street network. To encourage the pedestrian friendly nature of the Project streets may include the following traffic calming measures incorporated where appropriate:
  - a) On-street parking
  - b) Street trees to create shade
  - c) Median plantings
  - d) Varied paving patterns and materials
  - e) Stop signs
  - f) Roundabouts
  - g) Raised pedestrian cross-walks
  - h) Reduced street widths
  - i) Reduced design and traffic speeds

C. Parks and Open Space. Wildwood Springs shall maintain a minimum of 25% open space consistent the Amended and Restated Development Order. Open space shall include wetlands, preservation areas, greenspace, and landscape buffers. Open space may include areas such as trails, plazas, courtyards, and other similar public areas. Open space may also include recreation areas and amenities provided said amenities or area is not enclosed with conditioned space. A Community Development District, homeowner's association, adjoining property owners, or other private entity, must maintain all such elements unless such elements are dedicated to the public and such maintenance shall be determined by separate agreement of such dedication. Open space shall not include, rights-of-way (public or private), yards, or lots of record per plat, driveways, off street parking areas, or other impervious surface areas that do not meet the criteria. Additionally, the Project shall adhere to the following principles:

- 1) The parks will be programmed based on community and neighborhood needs, and may include formal and/or informal landscaped and preserve areas, children's play areas, walkways, fountains, community gardens, park benches, and pedestrian-scale lighting. Activity-based facilities such as basketball, tennis, and volleyball courts, swimming pools, clubhouses and restaurants may also be permitted in the neighborhood parks. On-street parking spaces shall count towards parking requirements for recreational facilities.
- 2) The preservation of Fenney Spring head and spring run will be a defining characteristic of the Project. As such, a one hundred and fifty foot (150') buffer shall be maintained around the spring head, as measured from the ordinary high water line, and a fifty foot (50') minimum buffer shall be provided around the spring run, as measured from the ordinary high water line. A fifteen foot (15') minimum, twenty-five foot (25') average buffer shall be provided around the remaining wetlands found on-site.
- 3) Native plants and grasses shall be used within the buffer zone around Fenney Spring head and spring run. The use of fertilizer will be restricted within these buffer zones. A vegetated swale (seep berm) will be allowed around the spring head and in areas of the spring run buffer where concentrated runoff is to occur. This swale will provide for an added measure for water quality treatment. Additionally, a fertilizer-free zone will be created adjacent to all wetlands and ponds throughout the community.
- 4) Enhancing the natural ecological system and developing linkages to these habitats will provide an opportunity to create passive recreational facilities. Through enhanced public access and interpretive signage, these natural habitat areas will be better preserved. The following activities will assist in the development of the springs area:

- a) Protection of open space from incompatible land uses
- b) Maintenance of the most vulnerable ecological communities
- c) Enhancement of public access through pedestrian ways, bicycle paths and waterways.
- d) Educational opportunities through interpretive signage

These activities will assist in educating the public regarding the wetland ecosystem to help ensure the protection of natural open spaces.

- 5) Permitted uses in the open space around Fenney Springs include: community recreation center, dining facility, nature center, sales center (interim use), outdoor patios and verandas, interpretive signage, environmental education exhibits, outdoor pavilions, trails, boardwalks, overlooks, natural amphitheater, picnic areas, and active and passive open fields.

D. Landscaping and Buffers. Landscaping and buffers within the Project shall conform to the following standards:

- 1) No onsite landscaped buffer shall be required between parcels or uses. Perimeter buffers shall consist of the following planting requirements: One (1) eight foot (8') structure tree and three (3) understory trees per each one-hundred feet (100'). External buffers adjacent to existing residential uses shall include three (3) eight foot (8') structure trees and five (5) understory trees per each one-hundred feet (100'). Shrubs are not required in perimeter buffers. All trees shall be provided in caliper inches to be measured six inches (6") above the ground, upon planting, consistent with the Florida Grades and Standards for Nursery Plants and Trees.
- 2) On residential streets, street trees shall be installed as neighborhoods are developed and adjacent homes and structures are built. The selection of tree species will be coordinated by street and will coincide with the official tree species for the City of Wildwood as listed in Table 6-12: Tree Species in the Land Development Regulations. The use of palm trees will be limited to concentrated groupings at entries and as decorative accents in the landscape. Palm trees shall not be allowed in residential front yards with the exception of smaller varieties used as secondary trees or accent shrubs. Street trees are permitted and are encouraged to be placed between the back of curb and sidewalk.
- 3) Median planting may contrast with more formal rows of street trees, and may provide seasonal color and act as a protective separation between traffic lanes. Palm trees may be used for median planting.
- 4) The use of St. Augustine turf grass shall be prohibited for residential yards, unless a drought-tolerant variety is developed. Drought-tolerant and natural grasses (such as Zoysia and Bahia)

will be used in entry features, parkways, parks, and yards. Irrigated Bermuda grass shall be permitted for active recreation areas, ball fields, entry areas, road frontages, and parks. Irrigated turf areas will be limited to residential lots and common areas, entrance ways, road medians, road frontages, community parks, and other key focal features.

- E. Lighting. The following principles shall apply to the Project:
- 1) Lighting design in parking lots and pedestrian areas will observe International Dark-Sky Association ("IDA") principals and aim to reduce the adverse effects of light pollution.
  - 2) Illumination levels at all property lines created by project lighting shall not exceed one-half (.5) foot candles ("f.c.") when the building or parking areas are located adjacent to external residential areas, and shall not exceed one (1.0) f.c. when abutting other external non-residential properties. All lighting within parking and pedestrian areas will be coordinated with the landscape tree plan to reduce canopy conflicts with proposed or existing trees.
  - 3) A lighting time control panel and photocell will be provided on exterior lighting systems (not connected to a structure) to provide automatic system shut-off after ordinary business hours. Full system shut-off shall exclude security lighting elements and street lights.
  - 4) Parking area light poles may be placed outside of parking islands as long as the poles are located in an area that is protected or the pole foundation has been designed to accept minimal levels of vehicular impact.
- F. Energy and Water Conservation. Equipment and appliances shall meet Energy Star standards consistent with the applicable Conditions of Approval in Section IV, C, Energy, per the Amended and Restated Development Order. New homes shall, at a minimum, be designed to meet the water conservation measures contained in City of Wildwood Ordinance No. 612 and shall also provide water efficient options for homes and landscapes that can assist home owners in meeting Water Star certification standards consistent with the applicable Conditions of Approval in Section IV, D, Public Facilities, per the Amended and Restated Development Order.
- G. Mixed-Use Development Standards. Mixed-use development shall be permitted in parcels 1, 2, 3, 4, 12a and 27 of the conceptual development plan. Property within these parcels developed as mixed-use will comply with the standards in Section 4(G) of this Ordinance. Commercial (non-mixed use) development will comply with the standards found in Section 4(H) of this Ordinance. Mixed-use development may include but are not

required to be vertically-mixed buildings. Uses permitted in mixed-use areas shall include all uses permitted in the City of Wildwood "Residential/Institutional/Office" (RIO) zoning district and all uses permitted in the City of Wildwood "Commercial Mixed Use" (C-2A) zoning district as listed on Table 3-6 of the Land Development Regulations.

- 1) Site Design
  - a) Building organization and placement will be designed to create and emphasize the view of focal points from the external roadway as well as internal 'main streets'.
  - b) Corner buildings at primary project entrance or high traffic nodes will be designed to visually accentuate vehicular and/or pedestrian experience.
- 2) Mixed-Use development shall adhere to the following setbacks and site development standards:
  - a) Minimum setback from C.R. 468 and U.S. 301: thirty feet (30')
  - b) Minimum front setback: sixteen feet (16') from back of curb
  - c) Minimum rear setback: zero feet (0')
  - d) Minimum side setback: zero feet (0') between adjacent buildings
  - e) Minimum side setback: fifteen feet (15') from face of curb
  - f) Maximum lot coverage: one hundred percent (100%)
  - g) Maximum building height: fifty feet (50')
  - h) Balconies, covered entrances, arches, bay windows, and roof overhangs may encroach into building setbacks.
- 3) Residential development shall adhere to the following setbacks and site development standards:
  - a) Stacked flats (apartments):
    - (i) Minimum setback from C.R. 468 and U.S. 301: thirty feet (30')
    - (ii) Minimum front setback: ten feet (10') from face of curb
    - (iii) Minimum rear setback: zero feet (0')
    - (iv) Minimum side setback: zero feet (0') between adjacent buildings
    - (v) Minimum side setback: ten feet (10') from face of curb
    - (vi) Maximum lot coverage: one hundred percent (100%)
    - (vii) Maximum building height: three (3) stories / forty-five feet (45')
    - (viii) Balconies, covered entrances, arches, bay windows, and roof overhangs may encroach into building setbacks up to three feet (3').

- b) Townhomes:

- (i) Minimum setback from C.R. 468 and U.S. 301: thirty feet (30')
  - (ii) Minimum front setback: ten feet (10') from face of curb
  - (iii) Minimum rear setback: zero feet (0')
  - (iv) Minimum side setback: zero feet (0') between adjacent buildings
  - (v) Minimum side setback: five feet (5') from face of curb
  - (vi) Maximum lot coverage: one hundred percent (100%)
  - (vii) Maximum building height: three (3) stories
  - (viii) Parking is required to be rear-loaded or may be located in a common court screened from view from front of building.
  - (ix) Stoops and porches may encroach into front setback up to five feet (5')
  - (x) Balconies, covered entrances, arches, bay windows, and roof overhangs may encroach into building setbacks up to three feet (3').
- c) Single Family:
- (i) Single Family residential shall be permitted within the Mixed-Use parcels in accordance with the Development Standards defined herein below in Section J.

#### 4) Architectural Standards

- a) Building façades will be designed to provide visual interest through detail and ornamentation that is viewed at both the pedestrian level as well as from a distance.
- b) Canopies, awnings, marquees, cornice trim, blade signage, retail awnings signage, eaves, and overhangs may project into sidewalk rights-of-way up to eight (8') feet.
- c) Façades facing a street will have a recognizable base (storefront) and top (cornice), and include an expression line that delineates the transition between the ground floor level and the upper façade.
- d) Finished façades will be provided on each building face facing a public right-of-way (corner lot).
- e) All ground floor façades that face a public street that are designed in an urban village center layout, will have arcades, display windows, entry areas, awnings, or other such features along a minimum of forty percent (40%) of the horizontal length of the façade.
- f) All parapet / roof planes that conceal a flat roof must extend around all sides of a building that are visible from any public street.

- g) Buildings are encouraged to have consistent window expressions visible from the street. Large expanses of glass curtain walls are not permitted. Street side, windowless building elevations are discouraged. Buildings elevations visible from and fronting public streets will express a clear base, middle, and top. Sloping roofs or strong cornice lines are encouraged at strategic locations, such as corners or mid-block entries.
  - h) Building façade fenestration and roof planes will be designed to fully wrap and continue the visual line of the architecture on all sides of the building that front and can be viewed from a public street.
  - i) Architecture should have a minimum of forty percent (40%) transparency on the pedestrian level adjacent to public streets.
- 5) All awnings must meet the following criteria:
- a) Canvas fabric or metal awnings are encouraged. The use of vinyl or vinyl coated fabrics is specifically discouraged. The use of fluorescent colored awnings is specifically prohibited.
  - b) Awnings shall be architecturally coherent across the building in terms of height, size, materials and color so as to provide a unified appearance to an individual building. Awnings shall not be of uneven or unusual shapes. However, a certain amount of diversity in the building façades is desirable and encouraged.
  - c) Backlighting or the internal illumination of awnings is not permitted.
  - d) Awnings shall not be used as the primary signage for any commercial or retail business.
  - e) Awnings shall not cover more than seventy percent (70%) of the primary façade of the individual building, shop or storefront if the frontage exceeds forty feet (40') in width.
  - f) The cumulative effect of individual storefront awnings on a building should be considered in building design. An awning shall reinforce the frame of the storefront and should not cover the piers or the space between the second story building windows and cornice.
  - g) Awnings covering second story windows will conform to the size of the individual windows and will complement the first floor storefront awning in terms of size, materials, height and color, etc.
  - h) The color of the fabric awning shall complement the building's color scheme.
- 6) Pedestrian Standards

- a) All buildings adjacent to public streets shall have a pedestrian entrance facing the street.
- b) The storefront pedestrian zone shall consist of a minimum sixteen-foot (16') building setback from back of curb, to include an eight-foot (8') pedestrian walkway and a four-foot (4') landscape area either in planter rows or individual tree planters. Storefront pedestrian zones with adjacent on-street parking shall also include an additional two-foot (2') wide pedestrian "step-out" zone between back of curb and the landscaped areas.
- c) The defined pedestrian route will be kept free of all permanent signage, site furnishing, or other physical obstructions. Site furnishings (e.g., benches, trash receptacles) may be placed within the four-foot (4') landscape area.

#### 7) Parking

- a) On-street parallel parking shall be permitted along internal drives and roadways but must be set back a minimum of ten (10') linear feet from any pedestrian crosswalk. On-street parking will count towards satisfying the parking requirements.
- b) On-street parking located along internal drives and roadways shall be set back a minimum of thirty feet (30') from any roundabout or intersection, as measured from the outside face of the roundabout curb radius. On-street parking will count towards satisfying the parking requirements.
- c) No on-street parking shall be located along any public right-of-way or roadway internal to the project within one hundred (100') linear feet of the intersection of the project entrance and C.R. 468.
- d) Where mid-block pedestrian crosswalks are proposed, the crosswalks shall be incorporated into the bump-out planters. The dimensional length of each crosswalk bump-out planter shall be a minimum of twenty-two feet (22'), as measured along the outside edge of the curb. The crosswalk bump-out planter shall consist of a minimum six-foot (6') pedestrian walkway. All parking lots containing forty (40) spaces or more shall have a minimum of two (2) points of vehicular ingress and egress. Small sub-lots containing fewer than forty (40) spaces may have a minimum of one (1) point of vehicular ingress and egress.

#### 8) Landscaping Standards

- a) Trees shall be specified and provided in caliper inches to be measured either six inches (6") or twelve inches (12") above the ground, upon planting, consistent with the

Florida Grades and Standards for Nursery Plants and Trees.

9) Signage

a) Signage design shall comply with City of Wildwood Design District Standards, Chapter 1, and Section J, Signage. In addition, the following standards shall apply:

(i) Signage will be compatible with the architecture, materials, and composition of the building.

(ii) Size, shape, color, and location of a sign will complement the building façade and will not be designed so large as to overpower the building. Individual storefront signs will be compatible with other storefronts on the same building in terms of size, design, and placement.

(iii) Signage shall not obstruct windows, cornices, decorative details, or the expression line of the façade. The expression line refers to a horizontal linear element extending across a façade to differentiate between the base, middle, and top of buildings or to indicate a massing transition. Expression lines may employ elements such as cornices, shading devices, moldings, step backs, or changes in color or material.

(iv) Signage above the expression line shall be prohibited except:

1. Wall-mounted hanging signs that are decorative and complement the building façade; and

2. Signs that identify a building and are incorporated into the cornice detail.

H. Commercial Development Standards. Commercial (non-mixed use) development of parcels 1, 2, and 26, of the conceptual development plan shall comply with the City of Wildwood Design District Standards, Chapter 1, Section F, Community District, and with the Community Commercial (CC) zoning district standards. Commercial (non-mixed use) development of parcel 27 shall comply with City of Wildwood Design District Standards, Chapter 1, Section D, Highway District, and with the General Commercial-Highway (C-3) zoning district standards. Uses permitted shall include all uses permitted in the City of Wildwood "General Commercial" zoning district as listed on Table 3-6 of the Land Development Regulations. Maximum building height permitted shall be fifty feet (50').

I. Commercial Development Standards for Parcel 21. Commercial development within parcel 21 of the conceptual development plan shall comply with the City of Wildwood Design District Standards, Chapter 1,

Section F, Community Commercial. The following uses shall be permitted in parcel 21: recreational vehicle ("RV") storage, boat storage, and automobile storage. A minimum ten-foot wide (10') landscaped buffer and six-foot (6') high fence or combination of fence and landscaped berm shall be provided around any RV storage, boat storage, or automobile storage located on parcel 21.

J. Residential Development Standards.

- 1) Residential development shall comply with the City of Wildwood Design District Standards, Chapter 2 (Residential) with the following exceptions:
  - a) The architectural standards, styles, colors and construction details of homes will be ensured through the establishment of Architectural standards administered by an Architectural Review Board (ARB) and or through Codes, Covenants and Restrictions (CC&Rs) as established and maintained by the Developer/Home Owners Association (HOA). The architectural standards shall meet minimum city standards unless otherwise modified herein.
  - b) The maximum height for residential units shall be forty-five feet (45').
  - c) Variable Front yard setbacks shall only apply to lots seventy feet (70') or greater.
  - d) Residential products, lot sizes, setbacks and standards shall be consistent with the following PD design standards defined below.
  - e) The typical local residential street right-of-way shall be as depicted on Typical Road Cross Sections included herein as "Exhibit C." Additional road rights-of-way may be required based on specific site conditions but shall be substantially consistent with applicable cross-sections. Final road cross sections will be determined at each phased site plan approval.
  - f) Streets will be lined on both sides with sidewalks, street trees and continuous landscaped parkways, unless adjacent to existing natural areas, parks, open spaces and/or are in close proximity to a bike or pedestrian path. In these locations and in areas with lots larger than one half acre (1/2) in size, the sidewalk may be located on one side of the street.
  - g) Residential uses shall also be permitted to be oriented on and directly front parks, green space, and/or mews as defined and depicted below without a street frontage; those residential units shall meet the following standards:

- (i) Parking will be rear-loaded in garages, carports, parking pads or in common parking courts located in close proximity to residential units.
  - (ii) Minimum width of a mews-type park shall be thirty-five feet (35'), front façade to front façade.
  - (iii) Pedestrian access to these park/mews oriented units shall be provided to the front entrances from the alley or public right-of-way via sidewalks.
  - (iv) Alleys for residential units fronting mews and without street frontage will be named so that addresses can be assigned. The street number will be required on both front and rear of each home for emergency and public services.
- 2) The following design standards shall apply to all residential development:
- a) Uses permitted within the residential areas shall include all uses permitted in the City of Wildwood "R-4: "Medium-High Density Residential" zoning district (Land Development Code Chapter 3, Table 3-6). Residential-Scale Professional Office uses shall also be permitted within parcels 3, 4, 12, 13, 19, 20 and 26 on the conceptual development plan.
  - b) The maximum densities allowed shall be consistent with those identified in the table depicted on the conceptual development plan, "Exhibit B."
  - c) Accessory dwelling units (i.e. granny flats) shall be a permitted use and shall not count towards residential dwelling units.
  - d) Pedestrian Standards
    - (i) Sidewalks shall be installed on residential streets as neighborhoods are developed and adjacent homes and structures are built.
  - e) Alley Standards
    - (i) Alleys or a common parking court located in close proximity to residential units shall be required for any block containing more than three (3) detached residential lots less than forty feet (40') in width.
    - (ii) Alleys shall be designated as an easement or tract of a minimum of twenty feet (20') in width and a pavement width of a minimum of ten (10') feet.
  - f) Residential Design Standards
    - (i) General Standards Single-family (Attached & Detached)
      - 1. Air conditioning (A/C) units shall not be located in the front yard. A/C units shall be placed behind the front façade of each

- structure a minimum of fifteen feet (15') behind the front setback and screened from view from public streets.
2. Sketches of typical lots are provided herein as "Exhibit D."
  3. Lot Standards established below in sections 4.J.f.ii through 4.J.f.ix of this Ordinance will govern in the event of conflict between typical lots schematic contained in "Exhibit D."
- (ii) Single-family attached residential (Townhomes)
1. Minimum lot width: fifteen feet (15')
  2. Minimum lot depth: fifty feet (50')
  3. Minimum lot size: seven hundred and fifty square feet (750 SF)
  4. Minimum living area: one thousand square feet (1,000 SF)
  5. Minimum front setback: five feet (5')
  6. Minimum side street setback: ten feet (10')
  7. Minimum side yard setback: zero feet (0') or five feet (5') on end unit
  8. Minimum rear yard setback: five feet (5')
  9. Units between fifteen feet (15') and twenty-eight feet (28') in width shall be two-story except end units may be one-story provided the minimum building (unit) width is twenty-four feet (24'); Units larger than twenty-eight feet (28') in width may be one story.
  10. Parking shall be provided on lot in rear-loaded garages, carports, parking pads, or in proximate shared parking areas provided in the front or rear of unit.
  11. Front loaded parking shall be permitted with the following restrictions:
    - a. Single Car Garage – Lot/Unit width equal to or greater than twenty – two feet (22')
    - b. Double (2) Car Garage – Lot/Unit width equal to or greater than twenty-eight feet (28')
    - c. Front Garage Set back twenty feet (20'); and two foot (2') setback from main façade.
  12. Maximum of six (6) units per building.
  13. Building Separation shall be permitted at a minimum of ten feet (10') between structures.

14. Maximum height: three and one-half (3-1/2) stories
  15. Maximum building lot coverage: ninety percent (90%)
  16. Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front setback and corner lot side setback up to three feet (3'). Balconies and roof overhangs may encroach upon rear setback.
  17. On-street parking shall be permitted to meet parking requirements.
  18. Townhomes shall adhere to the following minimum building separations:
    - a. Front to Front: thirty-five feet (35')
    - b. Front to Side: twenty-five feet (25')
    - c. Rear to Side: thirty feet (30')
    - d. Garage Door to Garage Door: thirty feet (30')
    - e. Side to Side: ten feet (10')
- (iii) Single-family attached residential (Paired Homes)
1. Minimum lot width: eighteen feet (18')
  2. Minimum lot depth: sixty feet (60')
  3. Minimum living area: one thousand square feet (1,000 SF)
  4. Minimum front setback: ten feet (10')
  5. Minimum front porch setback: five feet (5')
  6. Minimum rear setback: five feet (5')
  7. Minimum side yard setback: zero feet (0') or five feet (5')
  8. Minimum building separation shall be ten feet (10') between structures.
  9. Minimum side street set back: ten feet (10')
  10. Parking shall be provided on lot in rear-loaded garage, carports, parking pads, or in proximate shared parking areas provided in front or rear of unit.
  11. Front loaded parking shall be permitted with the following restrictions:
    - a. Single Car Garage – Lot/Unit width equal to or greater than twenty – two feet (22')
    - b. Double (2) Car Garage – Lot/Unit width equal to or greater than twenty-eight feet (28')

- c. Front Garage Set back twenty feet (20'); and two foot (2') setback from main façade
- 12. Maximum height: three (3) stories/floors
- 13. Maximum building lot coverage: eighty-five percent (85%)
- 14. Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front setback and corner lot side setback up to three feet (3'). Balconies and roof overhangs may encroach upon rear setback.
- 15. On-street parking shall be permitted to meet parking requirements.
- (iv) Single-family detached residential (Cottage Homes)
  - 1. Minimum lot width: twenty-three feet (23')
  - 2. Minimum lot depth: sixty feet (60')
  - 3. Minimum lot size: thirteen-hundred and eighty square feet (1,380 SF)
  - 4. Minimum living area: one thousand square feet (1,000 SF)
  - 5. Minimum front setback: ten feet (10')
  - 6. Minimum front porch setback: five feet (5')
  - 7. Minimum side yard setback: three and one-half feet (3.5')
  - 8. Minimum seven feet (7') between structures excluding garages
  - 9. Minimum side yard setback for garage: zero feet (0') or three and one-half feet (3.5')
  - 10. Minimum side street setback: ten feet (10')
  - 11. Minimum rear yard setback: five feet (5')
  - 12. Parking to be on lot in rear-loaded garages, carports or parking pads, or in proximate shared parking areas.
  - 13. Maximum height: thirty-five feet (35') / three (3) stories
  - 14. Maximum lot coverage: ninety percent (90%)
  - 15. Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front setback and corner lot side setback up to three feet (3'). Balconies and roof overhangs may encroach upon rear setback.
  - 16. On-street parking shall be permitted to meet parking requirements.
- (v) Single-family detached residential (Bungalow Homes)

1. Minimum lot width: forty feet (40')
  2. Minimum lot depth: seventy feet (70')
  3. Minimum lot size: twenty-eight hundred square feet (2,800 SF)
  4. Minimum living area: one thousand two hundred square feet (1,200 SF)
  5. Minimum front setback: ten feet (10')
  6. Minimum front porch setback: five feet (5')
  7. Minimum front loaded garage setback: twenty feet (20') and two foot (2') setback from main façade
  8. Minimum side yard setback: four feet (4')
  9. Minimum eight feet (8') between structures excluding garages
  10. Minimum side street setback: ten feet (10')
  11. Minimum rear yard setback: five feet (5')
  12. Minimum side yard setback for garage: zero feet (0') or four feet (4')
  13. Maximum height: thirty five feet (35')/three (3) stories
  14. Maximum lot coverage: eighty-five percent (85%)
  15. Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front setback and corner lot side setback up to three feet (3'). Balconies and roof overhangs may encroach upon rear setback.
  16. Pool/screen setbacks: rear setback for pool deck is minimum five feet (5'). Rear setback for screen enclosure shall be five feet (5').
- (vi) Single-family detached residential (Village Homes, Park Homes, and - Manor Homes)
1. Minimum lot width: forty-five feet (45')
  2. Minimum lot depth: eighty feet (80')
  3. Minimum lot size: thirty-six hundred square feet (3,600 SF)
  4. Minimum living area:
    - a. 45 $\geq$ -foot Village Home lot - one thousand square feet (1,000 SF)
    - b. 50 $\geq$ -foot Village Home lot - twelve hundred square feet (1,200 SF)
    - c. 60 $\geq$ -foot Park Home lot - sixteen hundred square feet (1,600 SF)
    - d. 70 $\geq$ -foot Manor Home lot - two thousand square feet (2,000 SF)
  5. Minimum front setback: fifteen feet (15')

6. Minimum front porch setback: ten feet (10')
  7. Minimum front loaded garage setback: Twenty (20') feet and two foot (2') setback from main façade
  8. Minimum side yard setback: five feet (5')
  9. Minimum ten feet (10') between structures excluding garages
  10. Minimum side street setback: fifteen feet (15')
  11. Minimum rear yard setback: five feet (5')
  12. Minimum side setback for garage: zero feet (0') or five feet (5')
  13. Maximum height: thirty-five feet (35')/three (3) stories
  14. Maximum lot coverage: eighty-five percent (85%)
  15. Balconies, porches, stoops, bay windows and roof overhangs may encroach upon setbacks by up to three feet (3').
  16. Pool/screen setbacks: rear setback for a pool deck is a minimum of five feet (5'). Rear setbacks for screen enclosures shall be five feet (5').
  17. Driveway setback: minimum two feet (2') from side yard setback or zero feet (0') if a shared driveway.
- (vii) Single-family detached residential (Estate Homes)
1. Minimum lot width: eighty-five feet (85')
  2. Minimum lot depth: one hundred feet (100')
  3. Minimum lot size: eighty-five hundred and fifty square feet (8,500 SF)
  4. Minimum living area: twenty-five hundred square feet (2,500 SF)
  5. Minimum front setback (main façade): twenty-five feet (25')
  6. Minimum porch setback: fifteen feet (15')
  7. Minimum garage setback (front-loaded): five feet (5') setback from main façade
  8. Minimum side yard setback: seven and one-half feet (7.5')
  9. Minimum ten feet (10') between structures
  10. Minimum side street setback: fifteen feet (15')
  11. Minimum rear yard setback: five feet (5')
  12. Maximum height: forty-five feet (45')/three (3) stories
  13. Maximum lot coverage: sixty percent (60%)

14. Balconies, porches, stoops, bay windows and roof overhangs may encroach upon front and corner lot side setback up to three feet (3'). Balconies and roof overhangs may encroach upon rear setback.
15. Pool/screen setbacks: rear setback for a pool deck is a minimum of ten feet (10'). Rear setbacks for screen enclosures shall be ten feet (10').

(viii) Live/Work Units

1. Live/work units shall be permitted in parcels 1, 2, 3, 4, 12, 13, 19, 20, 26, and 27.
  2. Live/work units may be composed of a primary residence, studio/garage apartment and include an office.
  3. Live/work units may be attached or detached.
  4. Live/work units may be in the form of both attached and detached standards defined in items F2-F7 above with the additional restrictions defined below.
  5. Minimum lot width: twenty-two feet (22')
  6. Minimum lot depth: sixty feet (60')
  7. Minimum lot size: Thirteen-hundred and twenty square feet (1,320 SF)
  8. Minimum living areas: one-thousand square feet (1,000 SF) for primary residence and studio/garage
  9. Minimum office: four hundred square feet (400 SF)
  10. Minimum front yard setback: ten feet (10')
  11. Minimum porch setback: five feet (5')
  12. Minimum side street setback: ten feet (10')
  13. Minimum side yard setback: zero feet (0') or five feet (5') on end unit
  14. Rear access is recommended
  15. Minimum rear setback: five feet (5')
  16. Balconies, covered entrances, bay windows and roof overhangs may encroach into the front setback up to three feet (3').
  17. Signage shall be permitted. Signage shall be a wall mount or hanging placard sign of a maximum of two feet (2') in height and two feet (2') in width.
- (ix) General Site Development Standards: Multi-Family Attached (stacked flats)

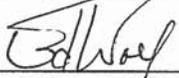
1. Minimum lot area: fifteen thousand square feet (15,000 SF)
2. Minimum living area: five hundred square feet (500 SF)
3. Minimum lot width: eighty-five feet (85')
4. Maximum height: forty-five feet (45')/ three (3) stories
5. Maximum lot coverage: eighty percent (80%)
6. Setbacks:
  - a. Minimum front yard setback: fifteen feet (15')
  - b. Minimum side yard setback: ten feet (10')
  - c. Minimum rear yard setback: fifteen feet (15')
7. Minimum building separations:
  - a. Front to Front: thirty feet (30')
  - b. Rear to Rear: thirty five feet (35')
  - c. Side to Side: fifteen feet (15')
  - d. Front to Side: twenty feet (20')
  - e. Rear to Side: twenty feet (20')

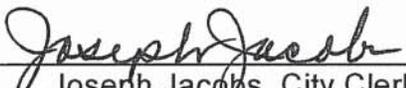
- K. Community Facilities Development Standards. Community facilities shall be permitted in parcels 1, 2, 3, 4, 12, 26 and 27 on the conceptual development plan. Uses permitted in these parcels shall include fire, police, and child care facilities; office, service, and retail uses; church and other civic uses. Police and fire facilities shall be constructed per the City of Wildwood Police Department standards and Sumter County Fire Department standards, respectively, and shall adhere to the Wildwood Springs architectural standards. Any other community facilities shall adhere to the applicable design district standards.
- L. Maintenance of Common Areas. Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be owned and maintained by the property owners association and/or a Community Development District (CDD), at no cost or obligation to the City. The developer/owner shall create Guidelines for the maintenance of common areas.
- M. Enforcement of Rules and Regulations. For the maintenance of the common areas referenced in Section L above, the applicable provisions in the Guidelines: (i) shall be made applicable to the commercial and the residential segments of the Project; and (ii) shall be submitted to the City of Wildwood for reference, prior to a certificate of occupancy being issued for completed improvements.

- N. Impact Fees. The Project shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid as required in each applicable ordinance. Proof of Sumter County impact fees paid shall be provided to the City of Wildwood. Any impact fees adopted by the City of Wildwood, Sumter County or the Sumter County School Board prior to issuance of building permits shall also be applicable to the Project.
- O. Expiration of Planned Development Agreement. Site Development must begin within the Planned Development within 60 months after the final adoption of the Planned Development Agreement. Once the construction of any on-site infrastructure has commenced the Project shall be vested. If no site development has started on the approved Planned Development within the allotted time frame, the City within 60 days shall notify the Developer of the pending expiration of the Planned Development Agreement. The applicant may request an extension or the Planned Development shall lapse and be of no further effect. If the Planned Development lapses, the City Commission may extend the Planned Development Agreement for periods of up to six months provided the Applicant can show good cause why said development was delayed.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this 12<sup>th</sup> day of DECEMBER, 2011.

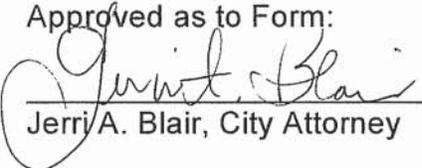
CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

  
ED WOLF, MAYOR

ATTEST:   
Joseph Jacobs, City Clerk

First Reading: November 14, 2011  
Second Reading: December 12, 2011

Approved as to Form:

  
Jerri A. Blair, City Attorney

**Ordinance No. O2011-18**

**Exhibit A**

**Legal Description**

### LEGAL DESCRIPTION

The East 1/2 of the East 1/2 and the Southeast 1/4 of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Northwest 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 and the East 1/2 of the Northeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 and the South 1/2 of the Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 and the South 1/2 of the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4 and the North 1/2 of the Southeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Northwest 1/4 of the Northeast 1/4 all in Section 31, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The South 325 yards of the Northeast 1/4 of the Northeast 1/4 and the North 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Northwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Northeast 1/4 and the Northwest 1/4, LESS the Northeast 1/4 of the Northeast of the Northwest 1/4; and the North 1/2 of the Southwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4, LESS 5 acres in the Northwest corner and LESS Begin at the Northwest corner of the Northwest 1/4 of the Northeast 1/4, run South 466 feet 8 inches for point of beginning, thence run South 210 feet, thence East 210 feet, thence North 210 feet, thence West 210 feet to the point of beginning; all in Section 32, Township 19 South, Range 23 East, Sumter County, Florida.

AND

The Southwest 1/4 of the Northwest 1/4 and the North 1/2 of the Southwest 1/4 and the Southeast 1/4 of the Southwest 1/4 and the South 1/2 of the Southeast 1/4 of the Northwest 1/4, all in Section 33, Township 19 South, Range 23 East, Sumter County, Florida.

LESS Road Right-of-Ways lying within the above described parcels.

And LESS those parcels described in Deed to Sumter County, Florida recorded in O.R. Book 950, Page 54, Public Records of Sumter County, Florida.

TOGETHER WITH

The North 330 feet of the Southwest 1/4 of the Southwest 1/4 of Section 33, Township 19 South, Range 23 East, Sumter County, Florida.

Less any portion thereof claimed by Sumter County, Florida, for the maintenance of County Road 505.

TOGETHER WITH

The Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida, Less the North 278.68 feet of the West 163.00 feet of the Northeast 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 31, Township 19 South, Range 23 East, Sumter County, Florida; Less the right of way for County Road No. 468 across the North side thereof.

TOGETHER WITH

The Southwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 30, Township 19 South, Range 23 East, Sumter County, Florida; Less right of way for Highway 468.

AND

From the South Quarter corner of Section 30, Township 19 South, Range 23 East, Sumter County, Florida, run North 00 degrees 07 minutes 02 seconds West along the East line of the Southwest Quarter of said Section 30, a distance of 34.05 feet to the North right-of-way of Highway 468 and the Point of Beginning; thence South 89 degrees 54 minutes 25 seconds West 942.29 feet to the intersection of the North right-of-way of Highway 468 and the Southeasterly right-of-way of Highway 301; thence by the Southeasterly right-of-way of Highway 301, along a curve to the left having a radius of 1486.18 feet, 1022.51 feet to a point; thence run North 89 degrees 58 minutes 05 seconds East 162.41 feet; thence run South 00 degrees 07 minutes 02 seconds West 630.01 feet to the Point of Beginning.

LESS that portion conveyed to the State of Florida Department of Transportation by Deed recorded June 25, 1990 in Official Records Book 401, Page 26, described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 30, Township 19 South, Range 23 East, Sumter County, Florida; run North 0 degrees 02 minutes 01 seconds West along the East line of said Southwest Quarter a distance of 33.65 feet to the Northerly existing right-of-way line of County Road 468; thence North 89 degrees 59 minutes 20 seconds West along said Northerly right-of-way line 942.26 feet to the intersection of said Northerly right-of-way line and the Southeasterly existing right-of-way line of State Road 35 (U.S. 301) for the Point of Beginning, said point being the beginning of a curve along State Road 35 concave Northwesterly and having a radius of

1482.70 feet and a chord bearing of North 69 degrees 34 minutes 18 seconds East; thence run Northeasterly along the arc of said curve through a central angle of 02 degrees 25 minutes 58 seconds a distance of 62.96 feet for the end of said curve; thence, departing the Southeasterly existing right-of-way line of State Road 35, South 01 degrees 26 minutes 29 seconds West 21.99 feet to the Northerly existing right-of-way line of County Road 468; thence North 89 degrees 59 minutes 20 seconds West along said Northerly right-of-way line 58.44 feet to the Point of Beginning.

Altogether Containing 1,047.51 acres more or less

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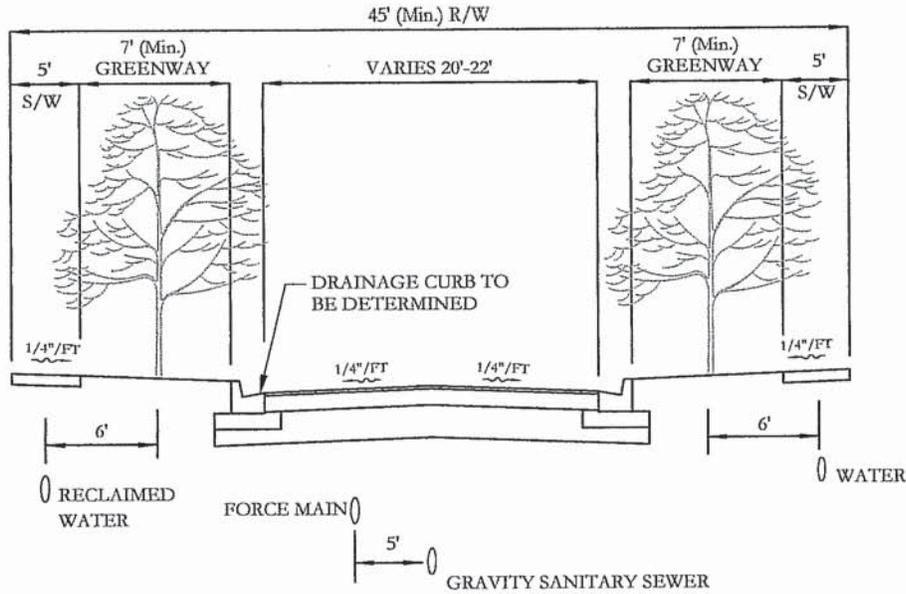
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**Ordinance No. O2011-18**  
**Exhibit B**  
**Conceptual Development Plan**

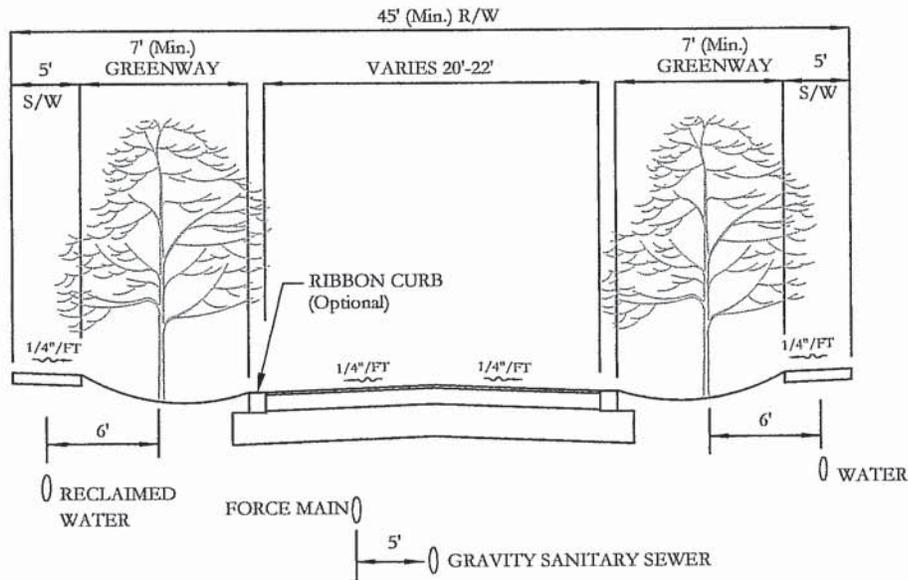


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**Ordinance No. O2011-18**  
**Exhibit C**  
**Typical Road Cross-Sections**



TYPICAL ROADWAY



ALTERNATIVE ROADWAY W/RIBBON CURB AND SWALE

1. NEIGHBORHOOD LOCAL - TYPE 1

50' ROW TYPICAL (VARIES - 45' ROW Minimum)

NOTE:

1. EDGE OF PAVEMENT (CURB) TREATMENTS SHALL BE DESIGNED WITH THE TYPES LISTED BELOW. MODIFIED VERSIONS AND DIMENSION OF EACH TYPE ARE PERMISSIBLE AS DESIGNATED BY THE PROJECT ENGINEER UPON EACH PHASE SITE PLAN APPROVAL.
2. UTILITY LOCATIONS DEPICTED ARE CONCEPTUAL AND ARE SUBJECT TO FURTHER REFINEMENT BY UTILITY AGREEMENT. HOWEVER, IT IS ACKNOWLEDGED THAT THE UTILITY MAIN LINE LOCATIONS WILL BE LOCATED IN A MANNER SUCH THAT THEY DO NOT CONFLICT WITH THE PLANTER/STREET TREES.

CURB TYPES MAY INCLUDE THE FOLLOWING:

- TYPE 'B' (Truncated Trench)
- TYPE 'D' (Upright Trench)
- TYPE 'E' (Mountable)
- TYPE 'F' (Upright)
- TYPE 'F' MODIFIED (Upright)
- RIBBON CURB (Flat)
- NO CURB (Alley)

TYPICAL ROAD CROSS SECTIONS - NEIGHBORHOOD LOCAL TYPE 1

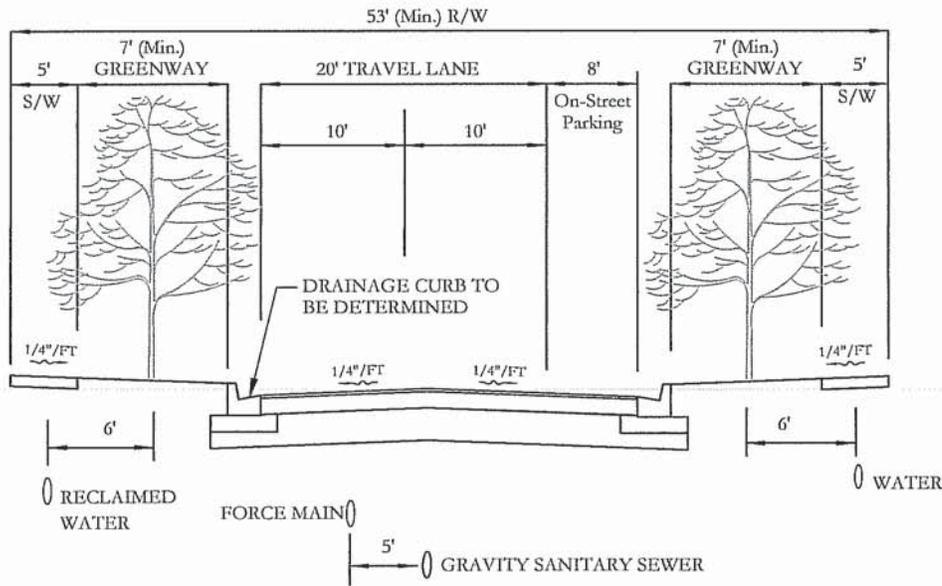
PLANNED DEVELOPMENT

WILDWOOD SPRINGS

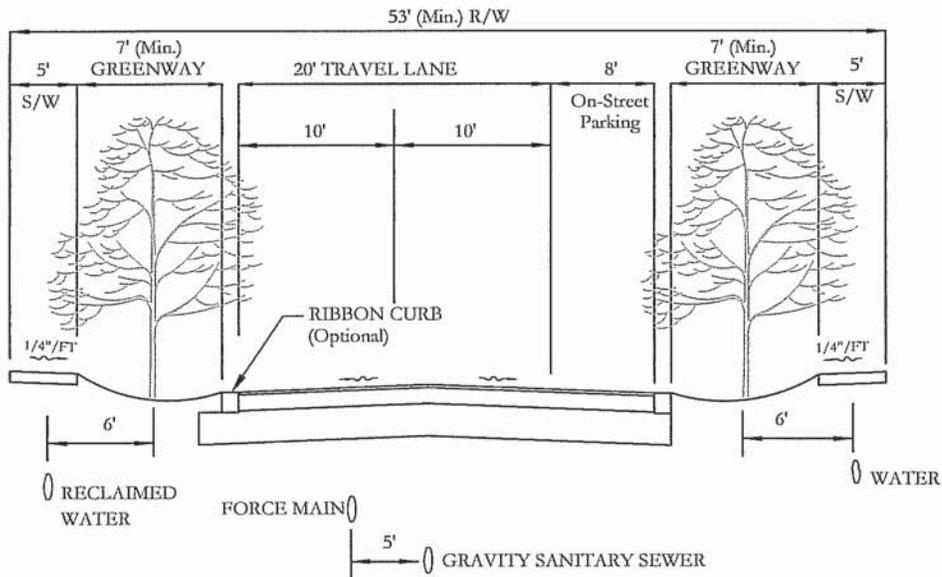
SHEET NO.

TYPE 1





TYPICAL ROADWAY



ALTERNATIVE ROADWAY W/RIBBON CURB AND SWALE

## 2. NEIGHBORHOOD LOCAL - TYPE 2

WITH DESIGNATED ON-STREET PARKING ONE SIDE  
 54' ROW TYPICAL (VARIES - 53' ROW Minimum)

NOTE:

- EDGE OF PAVEMENT (CURB) TREATMENTS SHALL BE DESIGNED WITH THE TYPES LISTED BELOW. MODIFIED VERSIONS AND DIMENSION OF EACH TYPE ARE PERMISSIBLE AS DESIGNATED BY THE PROJECT ENGINEER UPON EACH PHASE SITE PLAN APPROVAL.
- UTILITY LOCATIONS DEPICTED ARE CONCEPTUAL AND ARE SUBJECT TO FURTHER REFINEMENT BY UTILITY AGREEMENT. HOWEVER, IT IS ACKNOWLEDGED THAT THE UTILITY MAIN LINE LOCATIONS WILL BE LOCATED IN A MANNER SUCH THAT THEY DO NOT CONFLICT WITH THE PLANTER/STREET TREES.

CURB TYPES MAY INCLUDE THE FOLLOWING:

- TYPE 'B' (Truncated Trench)
- TYPE 'D' (Upright Trench)
- TYPE 'E' (Mountable)
- TYPE 'F' (Upright)
- TYPE 'F' MODIFIED (Upright)
- RIBBON CURB (Flat)
- NO CURB (Alley)

TYPICAL ROAD CROSS SECTIONS - NEIGHBORHOOD LOCAL TYPE 2

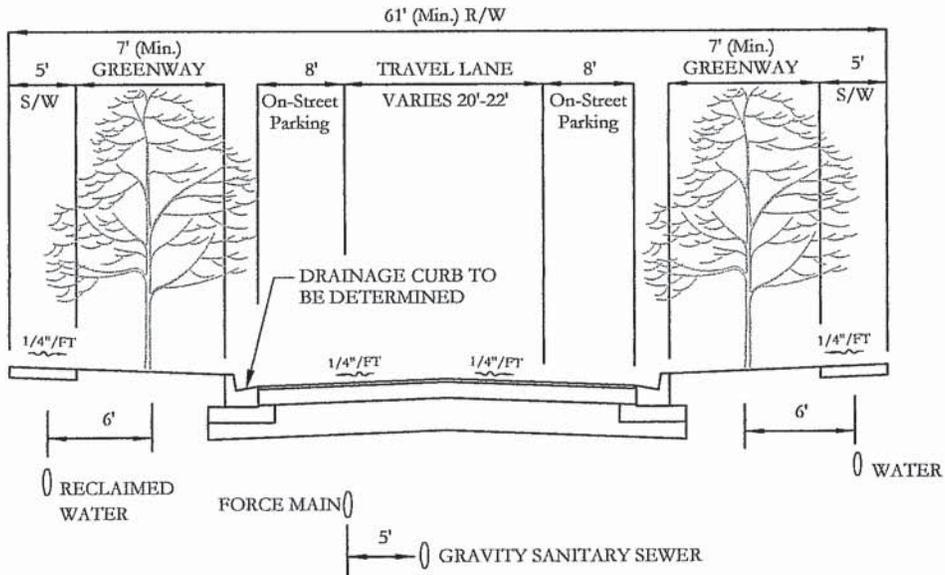
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PLANNED DEVELOPMENT

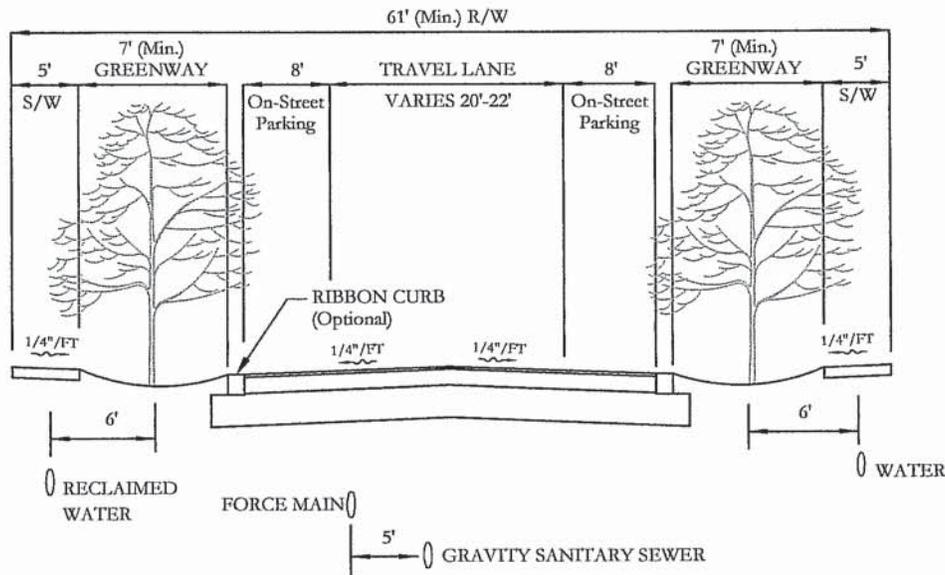
WILDWOOD SPRINGS



TYPE 2



TYPICAL ROADWAY



ALTERATIVE ROADWAY W/RIBBON CURB AND SWALE

### 3. NEIGHBORHOOD LOCAL - TYPE 3

WITH DESIGNATED ON-STREET PARKING BOTH SIDES  
 63' ROW TYPICAL (VARIES - 61' ROW Minimum)

**NOTE:**

1. EDGE OF PAVEMENT (CURB) TREATMENTS SHALL BE DESIGNED WITH THE TYPES LISTED BELOW. MODIFIED VERSIONS AND DIMENSION OF EACH TYPE ARE PERMISSIBLE AS DESIGNATED BY THE PROJECT ENGINEER UPON EACH PHASE SITE PLAN APPROVAL.
2. UTILITY LOCATIONS DEPICTED ARE CONCEPTUAL AND ARE SUBJECT TO FURTHER REFINEMENT BY UTILITY AGREEMENT. HOWEVER, IT IS ACKNOWLEDGED THAT THE UTILITY MAIN LINE LOCATIONS WILL BE LOCATED IN A MANNER SUCH THAT THEY DO NOT CONFLICT WITH THE PLANTER/STREET TREES.

- CURB TYPES MAY INCLUDE THE FOLLOWING:
- TYPE 'B' (Truncated Trench)
  - TYPE 'D' (Upright Trench)
  - TYPE 'E' (Mountable)
  - TYPE 'F' (Upright)
  - TYPE 'F' MODIFIED (Upright)
  - RIBBON CURB (Flat)
  - NO CURB (Alley)

TYPICAL ROAD CROSS SECTIONS - NEIGHBORHOOD LOCAL TYPE 3

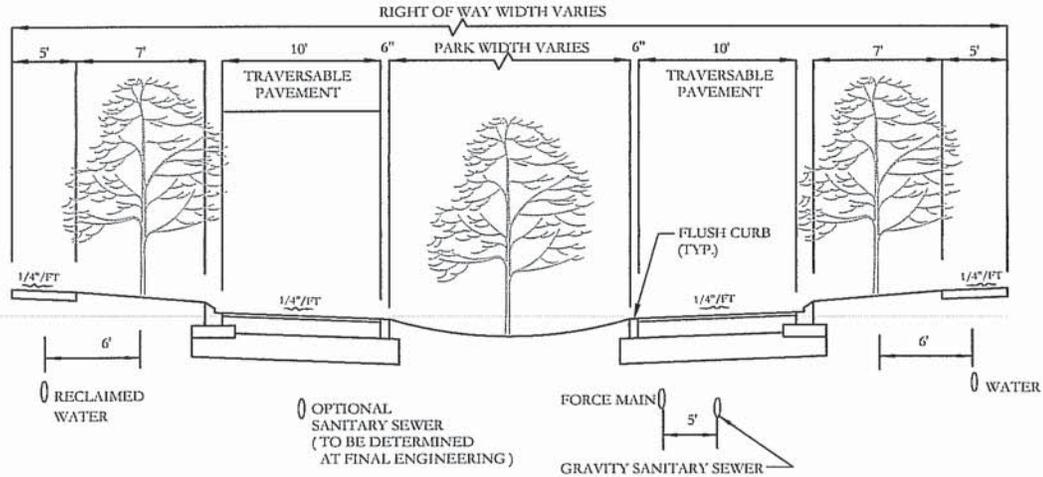
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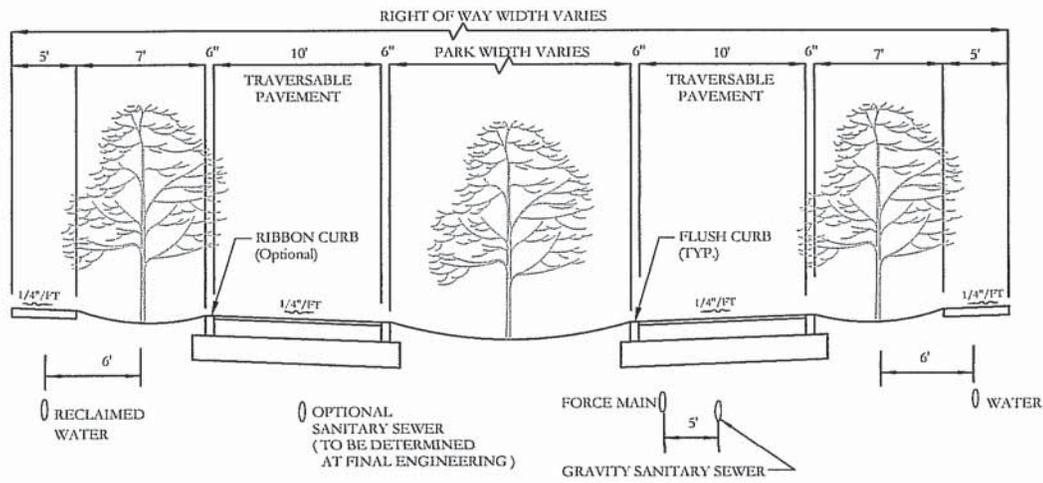
WILDWOOD SPRINGS



TYPE 3



TYPICAL ROADWAY



ALTERNATIVE ROADWAY W/RIBBON CURB AND SWALE

4. NEIGHBORHOOD LOCAL - TYPE 4

TYPICAL ONE WAYS WITH MEDIAN SECTION  
 PARKWAY WITHOUT PARKING

- NOTE:
- EDGE OF PAVEMENT (CURB) TREATMENTS SHALL BE DESIGNED WITH THE TYPES LISTED BELOW. MODIFIED VERSIONS AND DIMENSION OF EACH TYPE ARE PERMISSIBLE AS DESIGNATED BY THE PROJECT ENGINEER UPON EACH PHASE SITE PLAN APPROVAL.
  - UTILITY LOCATIONS DEPICTED ARE CONCEPTUAL AND ARE SUBJECT TO FURTHER REFINEMENT BY UTILITY AGREEMENT. HOWEVER, IT IS ACKNOWLEDGED THAT THE UTILITY MAIN LINE LOCATIONS WILL BE LOCATED IN A MANNER SUCH THAT THEY DO NOT CONFLICT WITH THE PLANTER/STREET TREES.

- CURB TYPES MAY INCLUDE THE FOLLOWING:
- TYPE 'B' (Truncated Trench)
  - TYPE 'D' (Upright Trench)
  - TYPE 'E' (Mountable)
  - TYPE 'F' (Upright)
  - TYPE 'F' MODIFIED (Upright)
  - RIBBON CURB (Flat)
  - NO CURB (Alley)

TYPICAL ROAD CROSS SECTIONS - NEIGHBORHOOD LOCAL TYPE 4

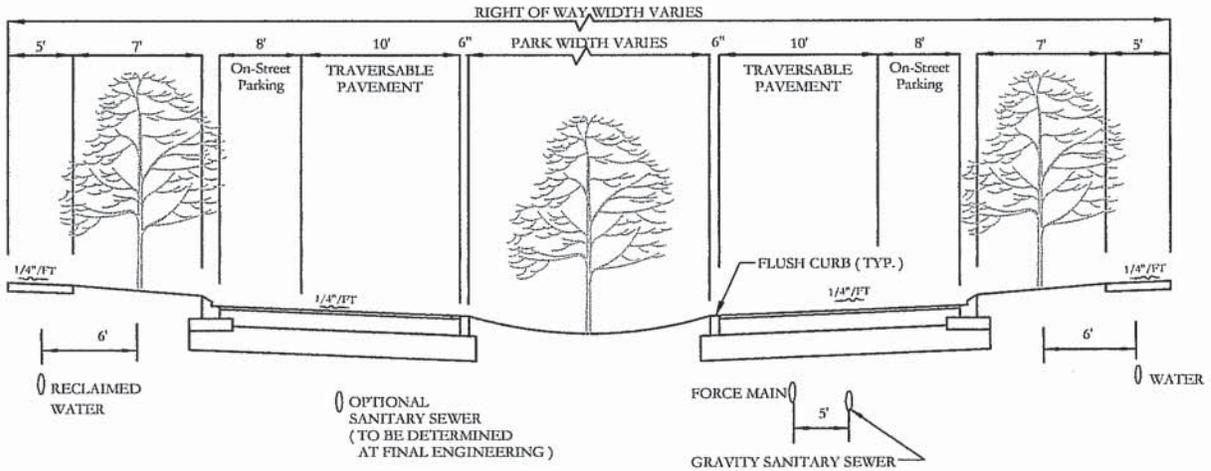
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PLANNED DEVELOPMENT

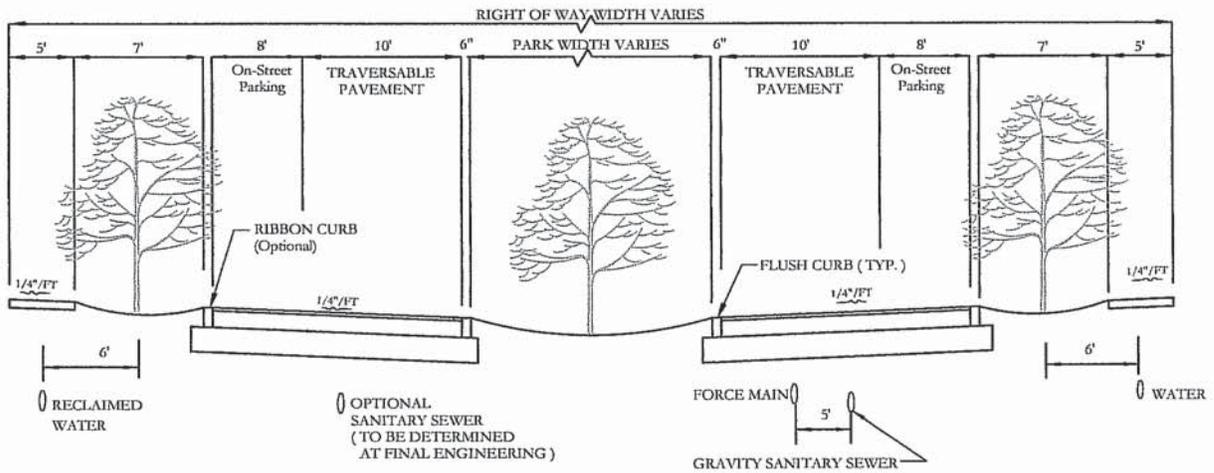
WILDWOOD SPRINGS



TYPE 4



TYPICAL ROADWAY



ALTERNATIVE ROADWAY W/RIBBON CURB AND SWALE

5. NEIGHBORHOOD LOCAL - TYPE 5

TYPICAL ONE WAYS WITH MEDIAN SECTION  
 PARKWAY WITH PARKING

NOTE:

- EDGE OF PAVEMENT (CURB) TREATMENTS SHALL BE DESIGNED WITH THE TYPES LISTED BELOW. MODIFIED VERSIONS AND DIMENSION OF EACH TYPE ARE PERMISSIBLE AS DESIGNATED BY THE PROJECT ENGINEER UPON EACH PHASE SITE PLAN APPROVAL.
- UTILITY LOCATIONS DEPICTED ARE CONCEPTUAL AND ARE SUBJECT TO FURTHER REFINEMENT BY UTILITY AGREEMENT. HOWEVER, IT IS ACKNOWLEDGED THAT THE UTILITY MAIN LINE LOCATIONS WILL BE LOCATED IN A MANNER SUCH THAT THEY DO NOT CONFLICT WITH THE PLANTER/STREET TREES.

- CURB TYPES MAY INCLUDE THE FOLLOWING:
- TYPE 'B' (Truncated Trench)
  - TYPE 'D' (Upright Trench)
  - TYPE 'E' (Mountable)
  - TYPE 'F' (Upright)
  - TYPE 'F' MODIFIED (Upright)
  - RIBBON CURB (Flat)
  - NO CURB (Alley)

TYPICAL ROAD CROSS SECTIONS - NEIGHBORHOOD LOCAL TYPE 5

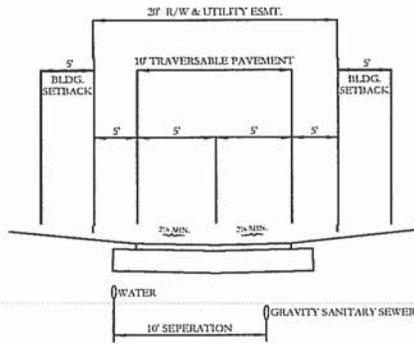
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PLANNED DEVELOPMENT

WILDWOOD SPRINGS

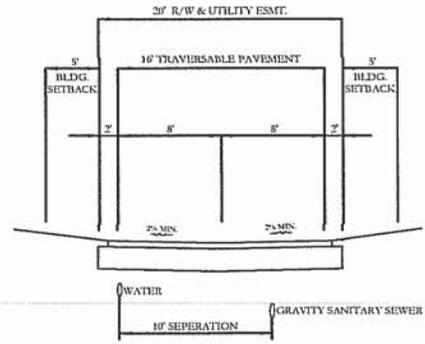


TYPE 5



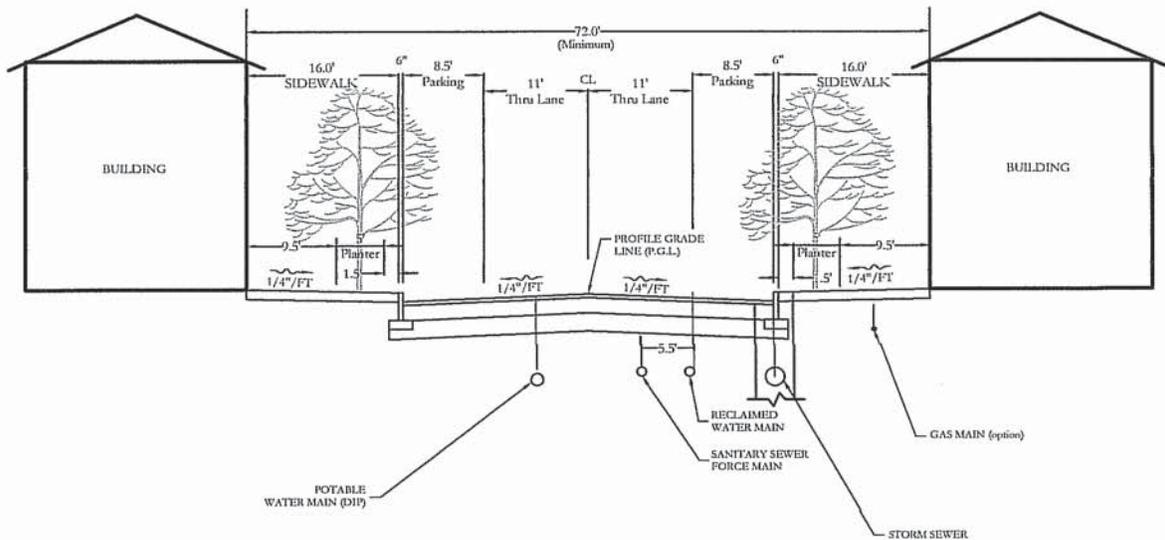
6. ALLEY- TYPE 1  
 ONE-WAY ALLEY

NOTE:  
 1. Water may drain to center of alley with an inverted crown.  
 2. Alley are not required to have curb.



7. ALLEY- TYPE 2  
 TWO-WAY ALLEY

NOTE:  
 1. Water may drain to center of alley with an inverted crown.  
 2. Alley are not required to have curb.



8. MIXED-USE LOCAL - TYPE 1

NOTE:  
 1. EDGE OF PAVEMENT (CURB) TREATMENTS SHALL BE DESIGNED WITH THE TYPES LISTED BELOW. MODIFIED VERSIONS AND DIMENSION OF EACH TYPE ARE PERMISSIBLE AS DESIGNATED BY THE PROJECT ENGINEER UPON EACH PHASE SITE PLAN APPROVAL.  
 2. UTILITY LOCATIONS DEPICTED ARE CONCEPTUAL AND ARE SUBJECT TO FURTHER REFINEMENT BY UTILITY AGREEMENT. HOWEVER, IT IS ACKNOWLEDGED THAT THE UTILITY MAIN LINE LOCATIONS WILL BE LOCATED IN A MANNER SUCH THAT THEY DO NOT CONFLICT WITH THE PLANTER/STREET TREES.

- CURB TYPES MAY INCLUDE THE FOLLOWING:
- TYPE 'B' (Truncated Trench)
  - TYPE 'D' (Upright Trench)
  - TYPE 'E' (Mountable)
  - TYPE 'F' (Upright)
  - TYPE 'F' MODIFIED (Upright)
  - RIBBON CURB (Flat)
  - NO CURB (Alley)

TYPICAL ALLEY CROSS SECTIONS - ONE-WAY, TWO WAY AND MIXED USE LOCAL

SHEET NO.

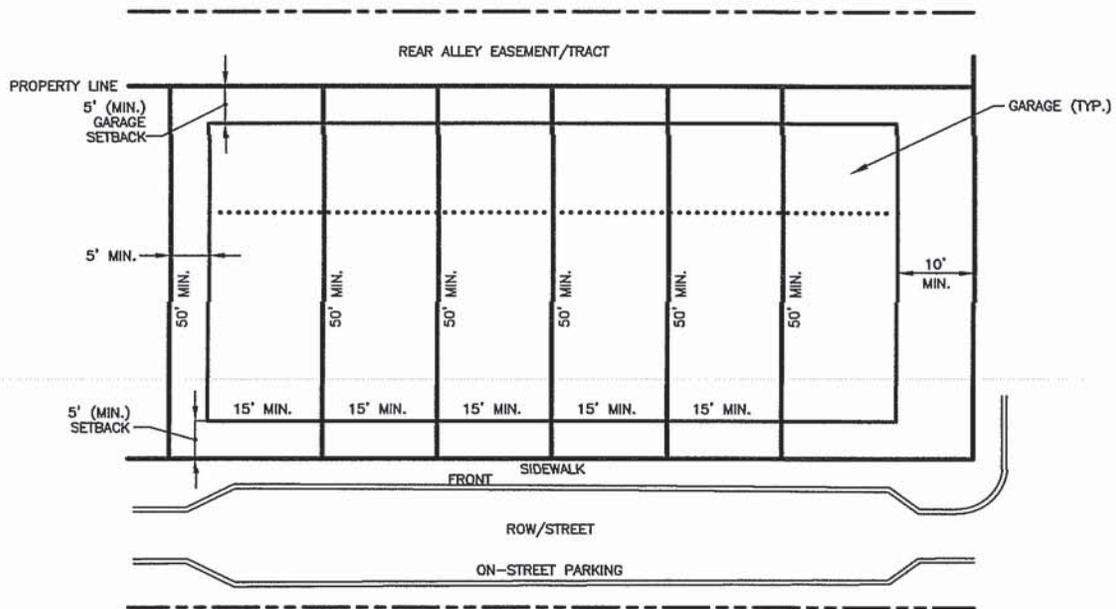
PLANNED DEVELOPMENT

WILDWOOD SPRINGS

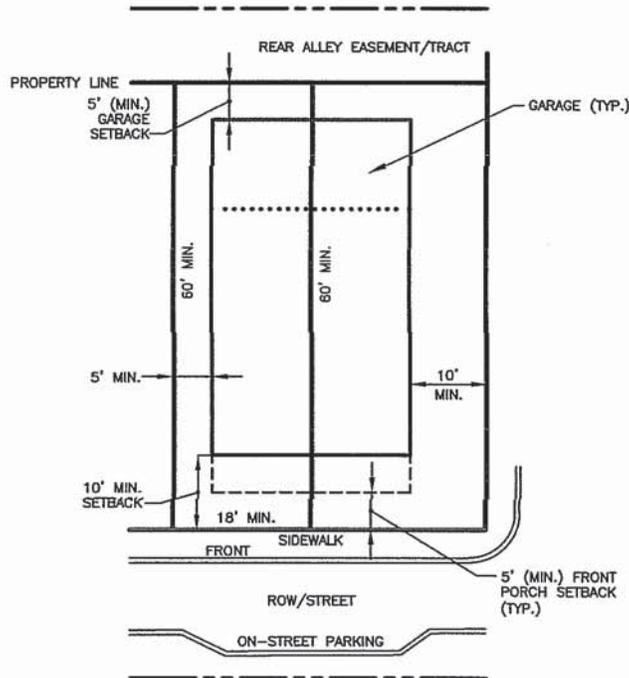


ALLEY

**Ordinance No. O2011-18**  
**Exhibit D**  
**Typical Lot Sections**



**2.0 SINGLE-FAMILY ATTACHED RESIDENTIAL  
 (TOWNHOMES)  
 REAR (ALLEY) LOADED**



**2.0 SINGLE-FAMILY ATTACHED RESIDENTIAL  
 (PAIRED HOMES)  
 REAR (ALLEY) LOADED**

TYPICAL LOTS - 2.0 SINGLE-FAMILY ATTACHED RESIDENTIAL

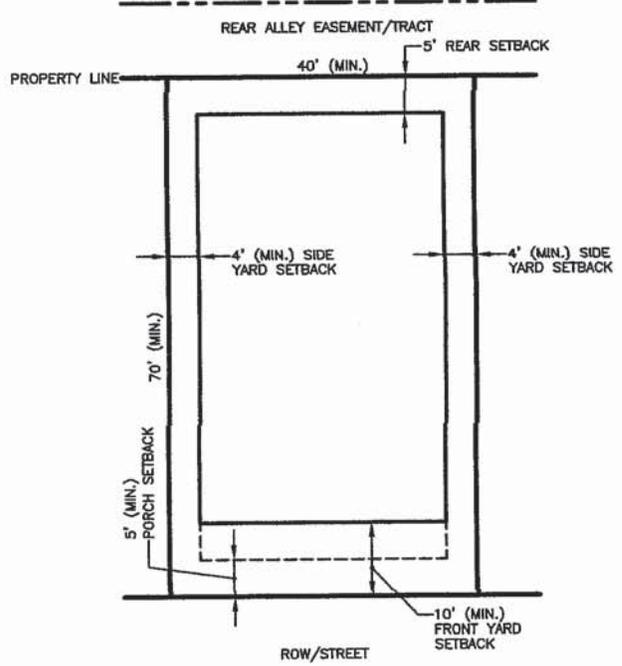
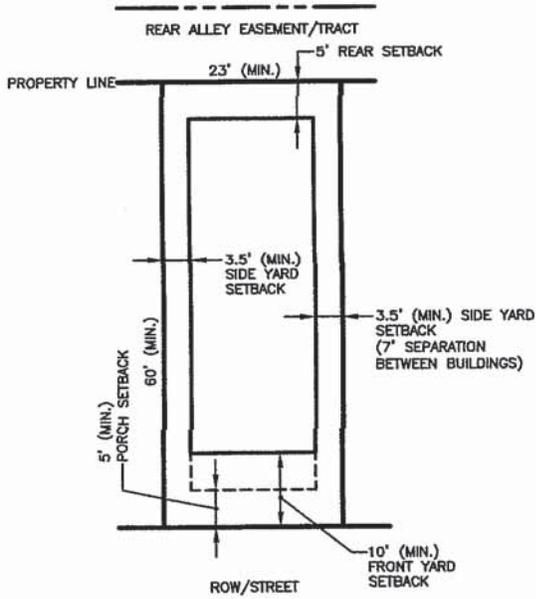
SHEET NO.

PLANNED DEVELOPMENT

WILDWOOD SPRINGS

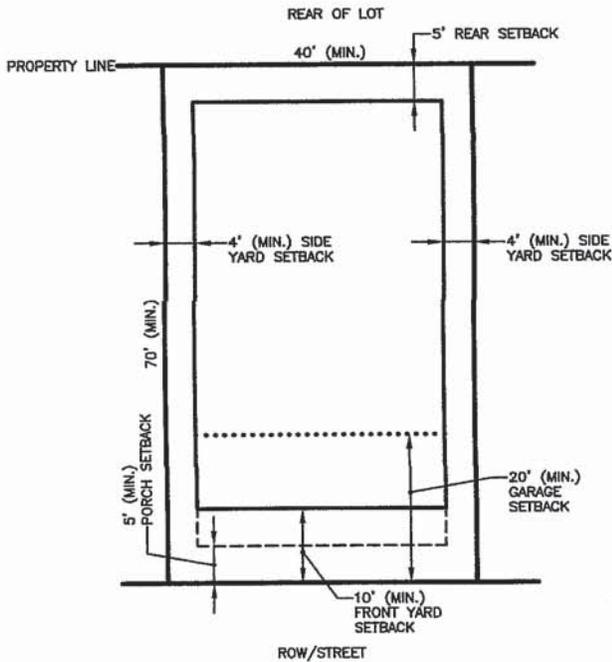


2.0



**3.0 SINGLE FAMILY DETACHED RESIDENTIAL  
 (COTTAGE HOMES-23')  
 REAR (ALLEY) LOADED**

**3.0a SINGLE FAMILY DETACHED RESIDENTIAL  
 (BUNGALOW HOMES-40')  
 REAR (ALLEY) LOADED**



**3.0b SINGLE FAMILY DETACHED RESIDENTIAL  
 (BUNGALOW HOMES-40')  
 FRONT LOADED**

TYPICAL LOTS - 3.0 SINGLE-FAMILY DETACHED RESIDENTIAL

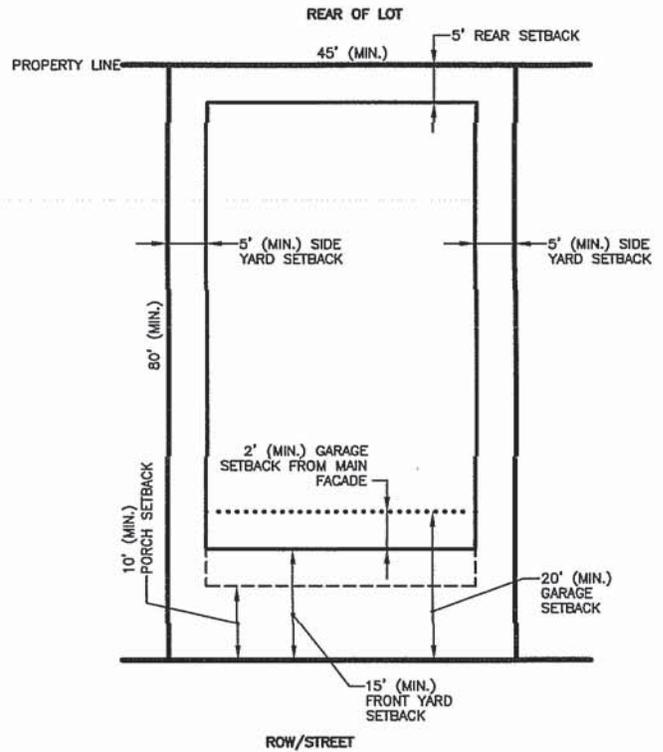
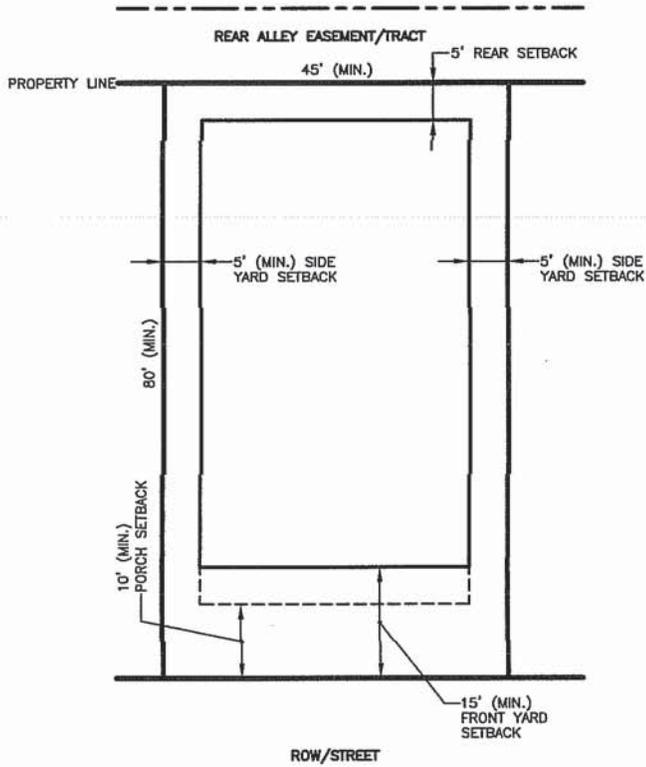
SHEET NO.

PLANNED DEVELOPMENT

WILDWOOD SPRINGS



3.0



**4.0a SINGLE FAMILY DETACHED RESIDENTIAL**  
 (VILLAGE HOMES - 45' & 50')  
 (PARK HOMES - 60')  
 (MANOR HOMES - 70')  
 REAR (ALLEY) LOADED

**4.0b SINGLE FAMILY DETACHED RESIDENTIAL**  
 (VILLAGE HOMES - 45' & 50')  
 (PARK HOMES - 60')  
 (MANOR HOMES - 70')  
 FRONT LOADED

TYPICAL LOTS - 4.0 SINGLE-FAMILY DETACHED RESIDENTIAL

SHEET NO.

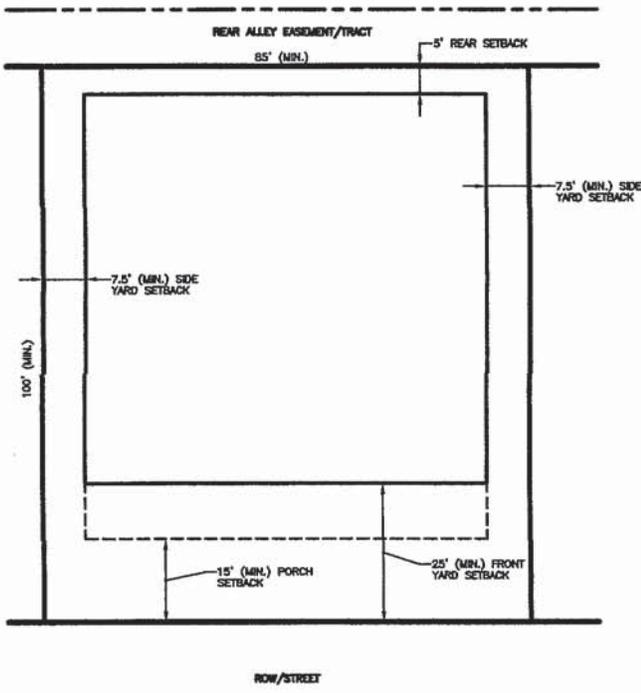
PLANNED DEVELOPMENT

WILDWOOD SPRINGS

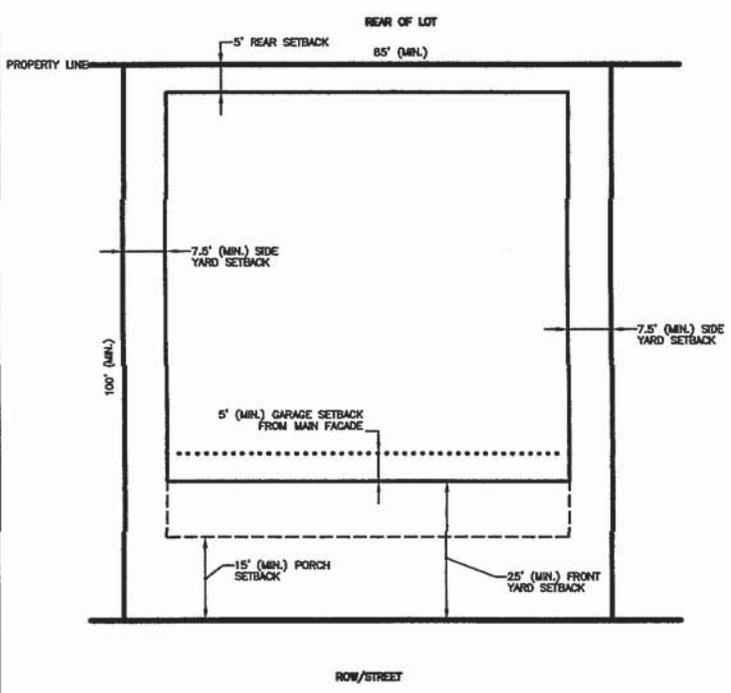


4.0

**5.0a SINGLE FAMILY DETACHED RESIDENTIAL  
(ESTATE HOMES - 85')  
REAR (ALLEY) LOADED**



**5.0b SINGLE FAMILY DETACHED RESIDENTIAL  
(ESTATE HOMES - 85')  
FRONT LOADED**



TYPICAL LOTS - 5.0 SINGLE-FAMILY DETACHED RESIDENTIAL

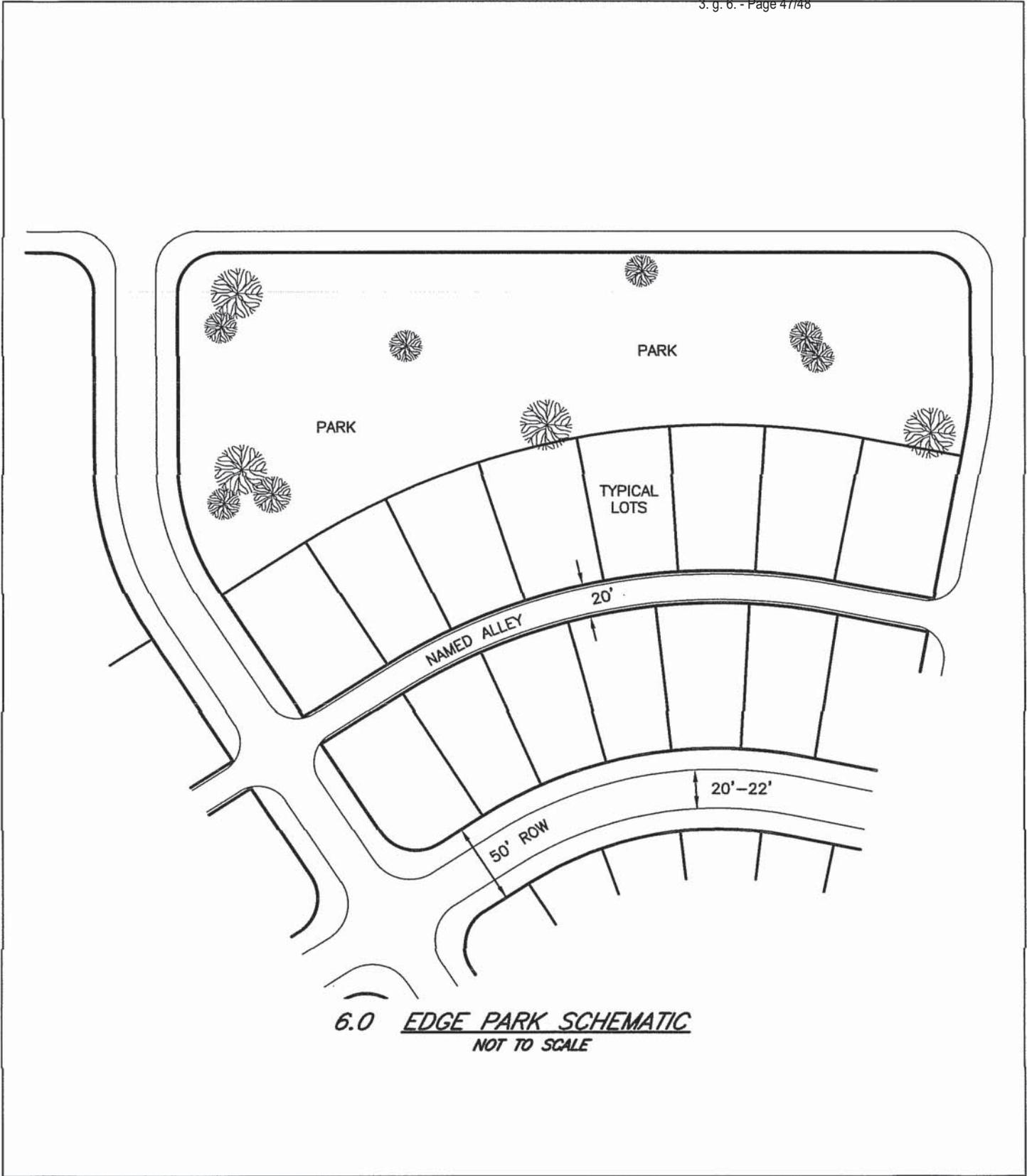
PLANNED DEVELOPMENT

WILDWOOD SPRINGS

SHEET NO.

5.0





**6.0** EDGE PARK SCHEMATIC  
NOT TO SCALE

TYPICAL LOTS - 6.0 EDGE PARK SCHEMATIC

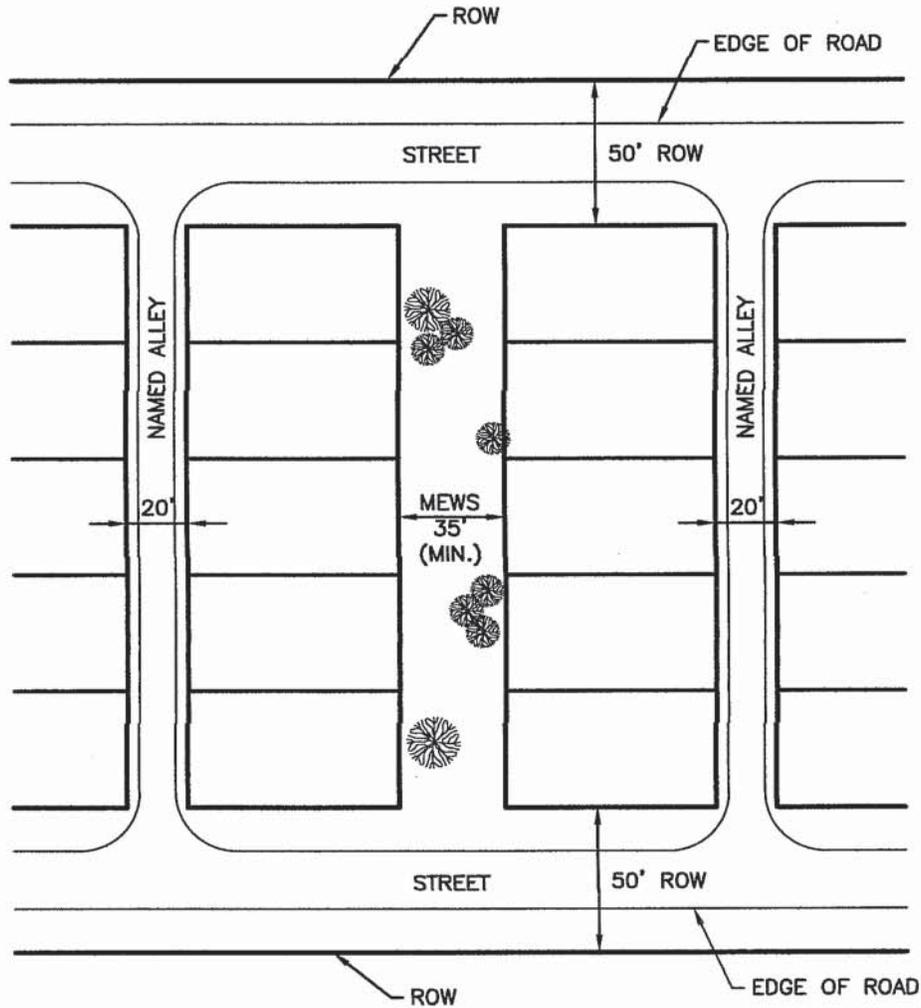
PLANNED DEVELOPMENT

WILDWOOD SPRINGS

SHEET NO.

6.0





**7.0 MEW PARK SCHEMATIC**  
NOT TO SCALE

TYPICAL LOTS - 7.0 MEW PARK SCHEMATIC

PLANNED DEVELOPMENT

WILDWOOD SPRINGS

POULOS & BENNETT, LLC - 4625 HALDER LANE, SUITE B - ORLANDO, FL 32814

TEL: 407.487.2594 - www.poulosandbennett.com

POULOS & BENNETT

SHEET NO.

7.0



## CITY COMMISSION OF THE CITY OF WILDWOOD

### EXECUTIVE SUMMARY

**SUBJECT:** Lenard Powell – Request to purchase City Property

**REQUESTED ACTION:** Commission direction regarding request.

Work Session (Report Only)      **DATE OF MEETING:** 1/9/12  
 Regular Meeting                       Special Meeting

**CONTRACT:**       N/A                      Vendor/Entity: \_\_\_\_\_  
Effective Date: \_\_\_\_\_                      Termination Date: \_\_\_\_\_  
Managing Division / Dept: \_\_\_\_\_

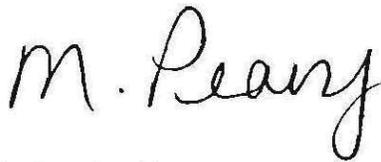
**BUDGET IMPACT:** \_\_\_\_\_

Annual                      **FUNDING SOURCE:** \_\_\_\_\_  
 Capital                      **EXPENDITURE ACCOUNT:** \_\_\_\_\_  
 N/A

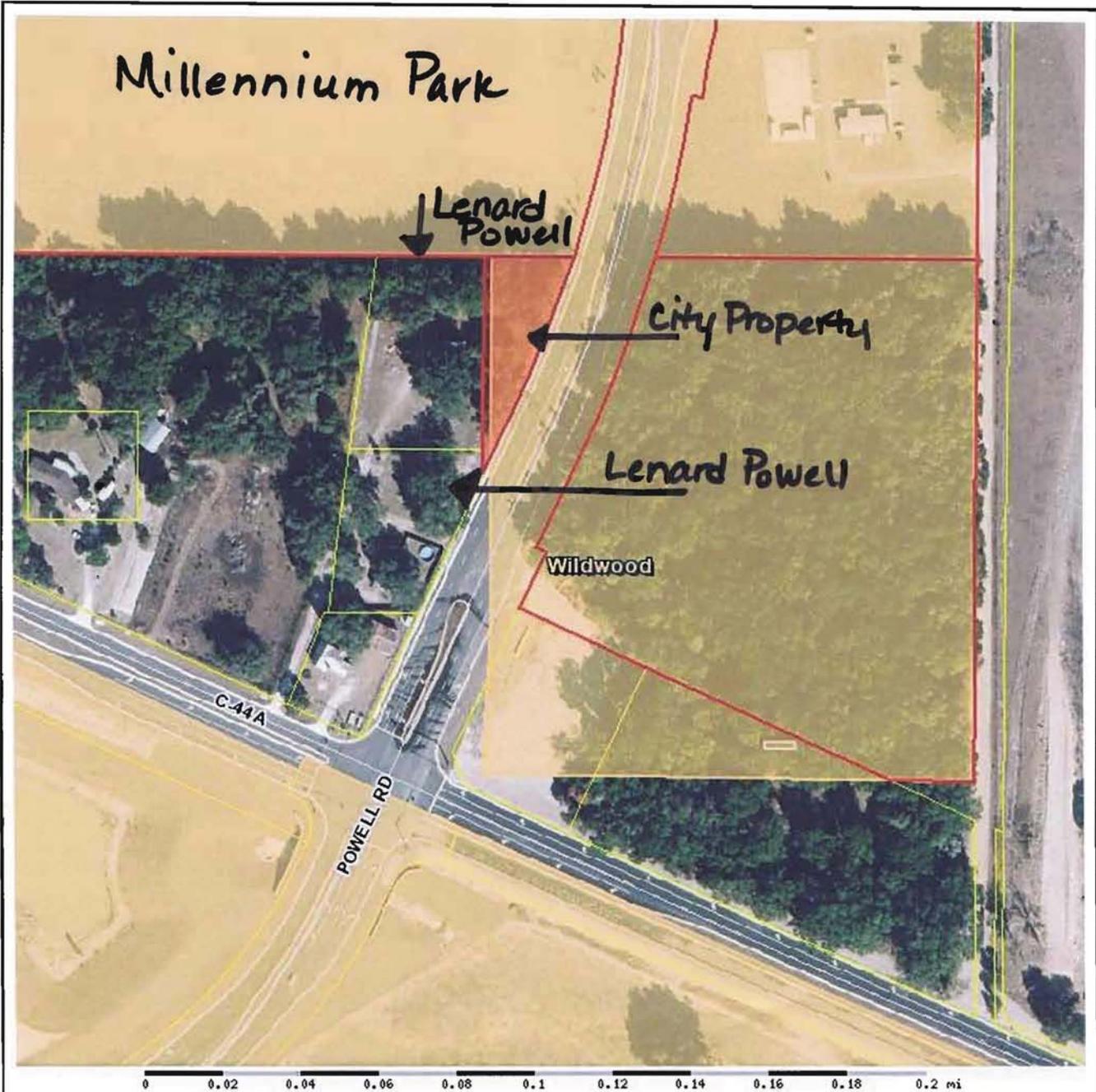
### HISTORY/FACTS/ISSUES:

Lenard Powell is requesting approval to purchase a City-owned property, a portion of parcel ID G08=018 which is contiguous to property he owns, as noted on the attached map. It is generally located to the north of the intersection of Powell Road and County Road 44A.

Staff is requesting Commission direction on how to proceed with this request.



Melanie Peavy  
Development Services Director



**Sumter County BOCC - GIS**  
BOCC - Bushnell, FL 33513 | 352-793-0200

Parcel ID G08=018  
 CITY: CITY OF WILDWOOD  
 100 N MAIN ST WILDWOOD, FL 34785  
 Street: 6451 POWELL RD  
 S/T/R: 08/19/23 W1/2 OF NE1/4 OF NE1/4 & SE1/4 OF NE1/4 & NE1/4 OF NE1/4 OF SE1/4 & BEG 210 FT W OF SE COR OF N1/2 OF NE1/4 OF NE1/4 OF

| Sales    |          |        |              |
|----------|----------|--------|--------------|
| 6/1/2009 | 2088/193 | Vacant | \$0.00       |
| 3/1/2001 | 866/556  | Vacant | \$341,800.00 |

NOTES:



This information was derived from data which was compiled by the Sumter County BOCC - GIS. This information should not be relied upon by anyone as a determination of the ownership of property, legal boundary representation, or market value. The map image is not a survey and shall not be used in any Title Search or any official capacity. No warranties, expressed or implied, are provided for the accuracy of the data herein, its use, or its interpretation. This information was last updated: 1/3/2012 and may not reflect the data currently on file at our office.

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Minutes  
Page 5  
June 27, 2011

3) Lenard Powell – When relocation agreement of County Road 139, was made he thought because of an agreement he had signed with the former City Manager to get water and trash pickup, that he was annexed. Through the relocation the property owners, including the City ended up with slivers of property. When the road was built he came to the City Zoning and was told they

weren't sure if he would end up in the City or County because the State was making some of the decisions. He talked with Marty Dzuro and asked for help on a proposal to the City. Marty told him he needed to get the legal descriptions straightened out. He wondered if the City would sell him the sliver of property that was creating a problem for him, but Marty indicated it might be hard to get an appraisal taking out a sliver. They decided to ask the City to swap property, but received a no from the City because they felt the City property value was more than Mr. Powell's property. Indicated that before he spends money, would the City consider is plausible to sell a portion of property to him, and if so would he be in the City or County.

CM Smith – requested that Mr. Powell provide a letter of intent and all information so that the information can be reviewed further by staff before bringing to the Commission on a future agenda for discussion.

f. Notes – no action required - None

3. NEW BUSINESS – ACTION REQUIRED

a. MINUTES

- 1) Minutes of Regular Meeting held on May 23, 2011, (Attachments – Staff Recommends Approval)
- 2) Minutes of Regular Meeting held on June 13, 2011, (Attachments – Staff Recommends Approval)

Motion by Commissioner Allen, second by Commissioner Bivins to approve the minutes of May 23, 2011 and June 13, 2011 as typed. Motion carried by unanimous vote.

c. RESOLUTIONS FOR APPROVAL:

None

d. APPOINTMENTS

None

e. CONTRACTS AND AGREEMENTS

None

f. FINANCIAL

- 1) Bills for Approval (Attachments – Staff Recommends Approval)

Motion by Commissioner Bivins, second by Commissioner Allen to approve payment of bills. Motion carried by unanimous vote.