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**ORDINANCE NO. 2013-24**

**AN ORDINANCE OF THE CITY OF WILDWOOD GRANTING A REQUEST FOR A RESIDENTIAL PLANNED DEVELOPMENT PURSUANT TO SECTION 8.6 OF THE LAND DEVELOPMENT REGULATIONS. FOR CERTAIN PROPERTY WITHIN THE CITY OF WILDWOOD, FLORIDA; OWNED BY MID-FLORIDA PROPERTIES, 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 Mid-Florida Properties, LLC (hereinafter referred as the, "Developer") for a Planned Development was heard by and before the City Commission, Wildwood, Florida on this 24<sup>th</sup> day of September, 2013. 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 June 27, 2013 and September 3, 2013 and otherwise being fully advised, the City Commission does hereby find and determine as follows:

**SECTION 1: GENERAL FINDINGS**

- A. That the Mid-Florida Properties, LLC Planned Development Application (hereinafter referred to as the "Project") was duly and properly filed herein on May 31, 2013.
- 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 Developer intends to develop a Project consisting of 218.5 acres, more or less, which is situated in Wildwood, Florida. This land is legally described in "Exhibit A" attached hereto.
- D. That the Developer has complied with the conceptual development plan provision as required by Section 8.4 of the Land Development Regulations.
- E. That the City has complied with the due notice requirements of subsection 3.3(B)(3) of the Land Development Regulations.

120.22

City of Wildwood  
100 N Main St  
Wildwood FL 34785

## SECTION 2: FINDINGS REGARDING PLANNED DEVELOPMENT OVERLAY

- A. That the Applicant has applied for a Residential Planned Development (RPD) of the lands described in "Exhibit A".
- B. That the zoning district of the subject land described in "Exhibit A" is classified as Low Density Residential (R-1) on the City of Wildwood Zoning Map.
- C. 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, and does promote the public health, safety, morals, welfare, and orderly growth of the City of Wildwood.
- D. 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 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. Unless specific conditions are included in the "Planned Development Agreement" waiving or replacing the terms and conditions of the Land Development Regulations, the terms and conditions of the most current Land Development Regulations shall prevail.
- E. 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 Residential Planned Development substantially in accordance with this Ordinance. This Residential Planned Development Agreement shall govern the development of the Project.
- B. 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 Farner Barley and Associates, Inc. dated March 29, 2013 (as revised to denote sidewalk requirements) is incorporated into this Ordinance as "Exhibit B" attached hereto. The conceptual development plan is substantially consistent with City of Wildwood Comprehensive Plan.
  - 1) The conceptual development plan illustrates the general location of the following land uses:
    - a. Single Family Residential;
    - b. Common areas and buffer easements (open spaces);
    - c. Recreational (Parks and open spaces).

- 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.
- C. Development Program. The Project shall be developed in two phases. The phases are shown on "Exhibit B" Conceptual Development Plan.
- 1) Residential Development. The residential component of the Project shall contain no more than 540 single family detached housing units and at least one (two dwelling units) single family attached housing unit.
  - 2) Maximum Development Potential. Residential development within the Project shall not exceed 4 dwelling units/acre. The maximum number of residential units in the Project is 542.
- D. 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.
- E. Future Approvals. After this Ordinance is recorded, and prior to any construction occurring, subdivision preliminary plans and improvement plans shall be submitted for review and approval in the manner required by Chapter 5 of the Land Development Regulations.
- F. Developer's Agreement. Prior to approval of subdivision preliminary plans, the City and the Developer agree to enter into a Developer's (Utility) Agreement to address the provision of water and wastewater to the Project. The agreement shall also specify, among other items, the ownership and maintenance of the utilities infrastructure associated with the Project.
- G. Principal Uses. The principal use permitted within the Project is single family residential.
- H. Development Standards. Unless otherwise noted, the Project shall adhere to the zoning district standards prescribed in Chapter 3 of the Land Development Regulations for Low Density Residential (R-1).

- I. Design District Standards. Unless otherwise noted, the Project shall adhere to the Residential Design District Standards pursuant to section 6.12 of the Land Development Regulations.
- J. Recreation and Open Space. The Project shall maintain a minimum of 20% open space.
  - 1) Parks and Recreation. The Project shall contain a minimum of 9 recreational amenities for the use of the Project's residents.
    - a. Parking shall be provided for the recreation amenities as shown on "Exhibit B."
    - b. Parking spaces for recreational amenities may be a minimum of ten (10) feet wide. And, eighteen (18) feet deep when fronting a landscaped area or 7' sidewalk.
  - 2) Buffers and Setbacks.
    - a. The Project shall contain a minimum twenty (20) feet perimeter landscape buffer easement along the Project's boundary lines. The landscaping in the buffer easements will be in conformance with the buffer detail sections incorporated into this Ordinance as "Exhibit C." The required landscaping and irrigation in the buffer easement will be installed on each lot when that lot is developed. Each lot owner will be required by the Subdivision Restrictions to maintain and irrigate the landscaping in compliance with applicable standards
    - b. Single Family detached residential shall have a twenty (20) foot building setback from the Project's roads, a ten (10) foot setback from the rear lot line and a zero (0) foot setback from side lot lines provided there is a minimum of ten (10) feet building separation. Single Family attached residential shall have the same building setbacks except no building separation is required on the side lot lines. Front setbacks will not vary from lot to lot.
  - 3) Open Space. Open space shall include drainage retention areas, entry feature tracts, common areas, buffer easements, recreation areas. For purposes of meeting open space requirements, 100% of the drainage retention areas (stormwater management areas) may be included in the open space calculation.
  - 4) Landscape Design. Yard and common area landscaping will be in conformance with the City of Wildwood Land Development Regulations and "Exhibit C."

K. Environmental Considerations.

All environmental considerations have been addressed in the Breedlove Dennis and Associates report submitted with the Planned Development Application.

L. Public Facilities.

- 1) Potable Water, Wastewater, and Irrigation Water. The Project shall be connected to the City's potable water and wastewater system prior to any certificates of occupancy being issued. The Project's Potable and Irrigation system shall be a single system connected to the City's potable water system. The Developer/Project will not construct a separate or dual water system for effluent (irrigation). The Developer/Project may use an existing well(s) or develop a new well(s) on the Project site to supplement the water features and irrigate the property owner's association's parks and common areas. Expansion of the City's Potable Water and Sanitary Sewer systems, including necessary utility easements, shall be negotiated and set forth by the Developer's (Utility) Agreement between the City and the Developer. Said Agreement shall specify cost, ownership and maintenance, and timetables for delivery of services. The Developer will grant the City an easement, at no cost to the City, for the existing water main along the Project's boundary as shown on "Exhibit B."
- 2) Solid Waste. Solid waste collection services shall be provided by the City or the City's contracted refuse service provider.
- 3) Stormwater. The Project shall contain a stormwater management system which meets the requirements of the Southwest Florida Water Management District, and Chapter 6, section 6.4 of the City's Land Development Regulations. Drainage retention basins will not be fenced.
- 4) Underground Utilities. All on site utilities shall be underground. Developer is responsible for running utilities underground for the Project. The City shall insure that any utilities within any public utilities easement encumbering any portion of the Project and serving lands other than the Planned Development shall be underground.
- 5) Water Towers. All water towers constructed on the Project shall meet the minimum setbacks from any residential zoning district of three (3) times the height of the installed tower.

M. Access and Transportation

1) Access.

- a. Interconnectivity to the North and South. The Project is required to dedicate one (1) right of way north to the adjoining property north of the Project as shown on "Exhibit B." Should the adjoining property be developed, the City may require any future projects North of and adjacent to this right of way to construct the improvements necessary should the City determine inter-connectivity is necessary. The Project is also required to dedicate one (1) right of way South to CR 214. The City may construct the necessary improvements when the City improves CR 214 if the City determines inter-connectivity is necessary.
- b. Gated Access. The access to the Project on the east boundary at U.S. Highway 301, and on the west at C.R. 209, and if constructed, the north and south interconnectivity may be gated with resident only gates by the Developer, or its assigns. The U.S. Highway 301 and C.R. 209 gates will open with a push button system allowing vehicular traffic to enter the Project.

2) Transportation System Improvements. There are no impacts to the transportation system as identified in the Traffic Impact Analysis submitted with the Planned Development application. The Developer will construct a northbound left turn lane on US Highway 301 as shown on "Exhibit B."

3) Internal Roadways.

- a. Roadways and trails within the Project shall be developed in accordance with the conceptual development plan, "Exhibit B," and the typical roadway section, "Exhibit C." Roadways will be designed as twenty (20) mph roadways with minimum center line radii of eighty-nine (89) feet pursuant to Standards in the Florida Department of Transportation's Manual of Uniform Minimum Standards.
- b. Intersection spacing shall be a minimum of 175'.
- c. The Project shall provide sidewalks shown on "Exhibit C." The Project shall not provide sidewalks or multi-modal paths along County Roads 214 and 209. Sufficient right of way along C.R. 214 will be dedicated to the City as shown on "Exhibit's B and C" so the City may construct a sidewalk should future needs warrant construction. A tract of land along County Road 209 will be

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**"Exhibit A"**

**Oxford Oaks**

**Legal Description**

## OXFORD OAKS

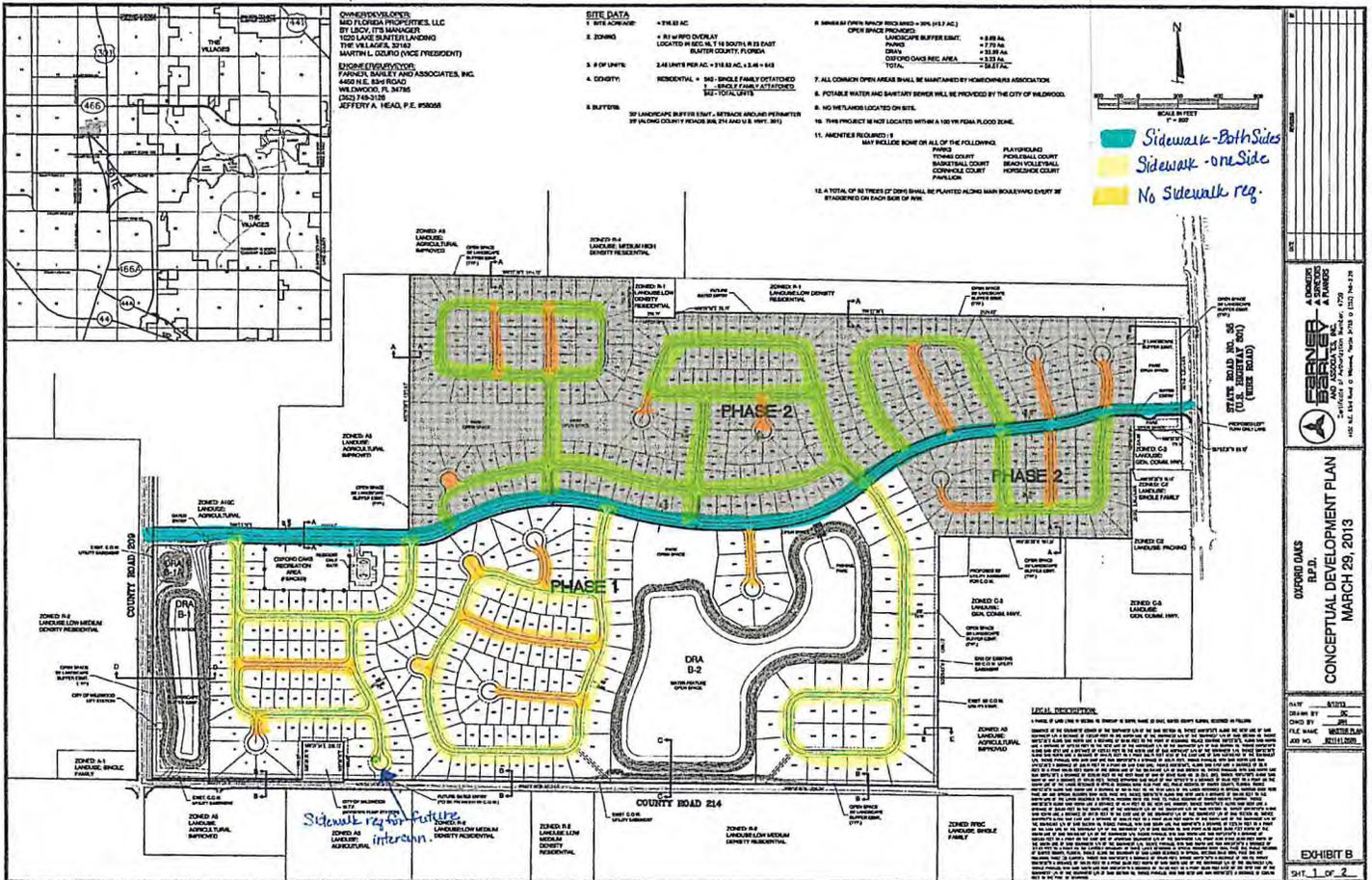
### LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 18, TOWNSHIP 18 SOUTH, RANGE 23 EAST, SUMTER COUNTY FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SAID SECTION 18; THENCE N00°26'23"E ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 1323.97 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE S89°23'32"E ALONG SAID NORTH LINE A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°23'32"E, ALONG SAID NORTH LINE A DISTANCE OF 1273.53 FEET TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; THENCE N00°26'06"E ALONG SAID WEST LINE A DISTANCE OF 1323.63 FEET TO THE NORTH LINE OF SAID NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE S89°22'39"E ALONG SAID NORTH LINE A DISTANCE OF 1114.72 FEET TO A POINT 208.71 FEET WEST OF THE EAST LINE OF SAID NORTHEAST OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID EAST LINE RUN S00°25'50"W A DISTANCE OF 208.71 FEET; THENCE PARALLEL WITH SAID NORTH LINE RUN S89°22'39"E A DISTANCE OF 208.71 FEET TO A POINT ON SAID EAST LINE; THENCE N00°25'50"E, ALONG SAID EAST LINE A DISTANCE OF 28.71 FEET TO A POINT 180.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE PARALLEL WITH SAID NORTH LINE RUN S89°22'39"E A DISTANCE OF 2529.92 FEET TO THE WEST RIGHT OF WAY OF STATE ROAD NO. 35 (U.S. 301); THENCE S00°57'08"E ALONG SAID RIGHT OF WAY A DISTANCE OF 574.88 FEET; THENCE DEPARTING SAID RIGHT OF WAY S87°03'31"W A DISTANCE OF 89.10 FEET TO A POINT ON THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1628 PAGE 483, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°22'32"W ALONG SAID SOUTH LINE A DISTANCE OF 151.16 FEET TO THE WEST LINES OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1628 PAGE 481 AND OFFICIAL RECORDS BOOK 1628, PAGE 483; THENCE S00°36'51"W ALONG SAID WEST LINES A DISTANCE OF 204.69 FEET TO THE NORTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 155, PAGE 73, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE N89°20'28"W ALONG SAID NORTH LINE A DISTANCE OF 16.14 FEET TO THE WEST LINE THEREOF; THENCE S00°57'08"E ALONG SAID WEST LINE A DISTANCE OF 360.00 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE N89°20'28"W ALONG SAID SOUTH LINE A DISTANCE OF 967.51 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE S00°25'03"W ALONG SAID EAST LINE A DISTANCE OF 1296.13 FEET TO A POINT 28.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 18; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°18'18"W A DISTANCE OF 1328.34 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18; SAID POINT ALSO BEING 28.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 1323.63 FEET TO A POINT ON THE EAST LINE OF AFORESAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; POINT ALSO BEING 28.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE RUN N89°24'24"W A DISTANCE OF 317.83 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1884, PAGE 366, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA; THENCE ALONG THE BOUNDARY OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1884, PAGE 366 THE FOLLOWING THREE (3) COURSES: THENCE RUN N00°38'26"E A DISTANCE OF 199.08 FEET; THENCE N89°21'34"W A DISTANCE OF 208.72; THENCE S00°38'26"W A DISTANCE

OF 199.25 FEET TO A POINT 28.00 FEET NORTH OF SAID SOUTH LINE OF THE  
SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE PARALLEL WITH SAID SOUTH LINE  
RUN N89°24'24"W A DISTANCE OF 747.09 FEET TO A POINT 50.00 FEET EAST OF THE  
WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 18;  
THENCE PARALLEL WITH SAID WEST LINE RUN N00°26'23"E A DISTANCE OF 1295.96  
FEET TO THE POINT OF BEGINNING.

**Ordinance O2013-24**  
**“Exhibit B”**  
**Oxford Oaks**  
**Conceptual Development Plan**  
**And Detail Sections**





dedicated to the City as shown on "Exhibit's B and C" so the City may construct a multi-model path should future needs warrant construction.

- d. Golf carts may be allowed to utilize the roadways within the Project. The City shall ensure the allowance of golf carts within the Project does not present a safety concern.
  - e. The roadways and road rights of way will be dedicated to the City. The City will maintain all improvements within the rights of way which include, but are not limited to, pavement, underground pipe utilities and storm drains, curbing, street lights, sidewalks and street signs.
- N. Maintenance of Common Areas. Maintenance and repair of structures, lawn mowing, and landscaping maintenance of all common areas within the Project shall be the responsibility of the property owner or its designee such as a property owners association, at no cost or obligation to the City. The Developer shall provide restrictions to the City that will govern the maintenance of common areas.
- O. Impact Fees. The Planned Development shall be subject to all impact fees applicable at the time of permitting. All impact fees are to be paid before issuance of any building permit. 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 Planned Development.
- P. Expiration of Planned Development Agreement. Actual construction must begin within the Planned Development within 24 months of the final adoption of the Planned Development Agreement. If no construction has started on the approved Planned Development within 24 months, the Planned Development shall lapse and be of no further effect. The City Commission may extend the Planned Development for periods of up to six (6) months provided the applicant can show good cause why said the Project was delayed under the originally approved Planned Development Agreement. However, the City Commission shall not allow extensions to the commencement of construction beyond 48 months after the effective date of this Ordinance. Notwithstanding anything in the foregoing, once construction has commenced, construction may continue until the completion of the Project.

PASSED AND ORDAINED in regular session of the City Commission of the City of Wildwood, Sumter County, Florida, this 24<sup>th</sup> day of September, 2013.



ATTEST: Joseph Jacobs  
Joseph Jacobs, City Clerk

First Reading: September 10, 2013

Second Reading: September 24, 2013

Approved as to Form:

Ashley S. Hunt  
Ashley S. Hunt, City Attorney

CITY COMMISSION  
CITY OF WILDWOOD, FLORIDA

Pamala Bivins  
ED WOLF, MAYOR

BY: Pamala Bivins, Mayor Protem