

ORDINANCE NO. O2015-5

AN ORDINANCE OF THE CITY OF WILDWOOD, FLORIDA; AMENDING SECTION 1.6 PROJECT REVIEW COMMITTEE (PRC), PERTAINING TO THE COMPOSITION, CONDUCT, AND DUTIES OF THE PRC; AMENDING SECTION 1.11 APPEALS TO ALLOW FOR APPEALS OF PRC DECISIONS; AMENDING SUBSECTION 5.1(D) EXPIRATION OF APPROVALS (FOR PRELIMINARY OR IMPROVEMENT PLANS UNDER CHAPTER 5); AMENDING SUBSECTION 6.1(C) AGREEMENTS; OF THE LAND DEVELOPMENT REGULATIONS (LDRS) OF THE CITY OF WILDWOOD, FLORIDA; PROVIDING FOR CODIFICATION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City holds monthly meetings of the Project Review Committee (PRC) for staff level review of development projects in accordance with section 1.14 of the Land Development Regulations (LDRs); and,

WHEREAS, there are instances where it would be appropriate to grant a waiver of certain technical requirements of the LDRs based on the location, nature, or specific situation of a given development; and,

WHEREAS, the City wishes to modify subsection 1.6(D) *Membership* to establish a voting membership among the Project Review Committee; and,

WHEREAS, the City wishes to modify subsection 1.6(D) *Membership* to establish an advisory membership among the Project Review Committee; and,

WHEREAS, the City wishes to modify section 1.11 *Appeals* to establish a process whereby an applicant may appeal a decision of the Project Review Committee to the Board of Adjustment; and,

WHEREAS, the City wishes to modify subsection 5.1(D) to allow twenty-four (24) months before requiring a developer to obtain final plat approval pursuant to a subdivision improvement plan; and,

WHEREAS, the City wishes to modify subsection 6.1(C) regarding development agreements to allow flexibility in the review process, and,

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Commission of Wildwood, Florida, as follows:

SECTION 1. The amendments to section 1.6 *Project Review Committee* of the Land Development Regulations are shown with ~~strike through~~ for deletions and underline for additions and include:

(A) *Purpose.* The purpose of the Project Review Committee (PRC) is to gather information to aid staff in presenting projects, to serve in an advisory capacity to the Planning and Zoning Board regarding certain proposed projects, and to approve certain proposed projects, and grant waivers of certain technical requirements of the LDRs subject to the approval authority outlined in subsection 1.6(B), below. Meetings of the PRC are not public hearings but are open to the public and are held for the purpose of reviewing a proposed project's compliance with the technical requirements of the Code and granting relief where appropriate.

(B) *Duties and responsibilities.* The Project Review Committee shall be responsible for reviewing certain applications with respect to their conformance to the rules and regulations as established in this Code. After review, the PRC may determine substantial changes are necessary to meet the regulations of this Code. In such cases the applicant shall resubmit the application to the office of Development Services Director. Upon determination the project is in conformance with this Code, the PRC shall recommend the Planning and Zoning Board hear the project, along with conditions if necessary. Recommendations, conditions, and plans, will be forwarded to the Planning and Zoning Board. The PRC shall review and make recommendations to the Planning and Zoning Board on the following applications:

- (1) Planned developments;
- (2) Site plans;
- (3) Improvement plans; and
- (4) Final plats.

The PRC shall have the authority to approve minor lot splits, subdivision preliminary plans, and minor site plans in conformance with section 1.14 of the LDRs.

From time to time, the Project Review Committee (PRC) shall have the authority (but not the obligation) under this section to waive certain technical requirements of the Land Development Regulations (LDRs).

Waivers shall not constitute a revision to the LDRs. The burden shall be on the applicant to provide documentation and substantial support in favor of a waiver request for their project.

Any such waiver shall be made by motion and majority vote of the PRC voting membership and noted in the minutes of the meeting. All waivers shall be put into writing for execution by the PRC Coordinator.

Decisions of the Project Review Committee may be appealed to the Board of Adjustment in accordance with section 1.11 of the LDRs.

(C) *Project Review Committee Coordinator.* The Development Services Director shall be the liaison between the PRC and the Planning and Zoning Board and shall act as the Project Review Committee Coordinator. The PRC Coordinator shall have the following duties:

- (1) Receive all applicable applications and review each application for completeness. The applicant shall be notified of the PRC meeting within seven (7) days of the application being deemed sufficient;
- (2) Process all applicable applications to ensure compliance with this Code. The application shall be forwarded to the appropriate members of the PRC for their review;
- (3) Record and make available to the public meeting minutes of the PRC;
- (4) Present the recommendations of the PRC to the Planning and Zoning Board; and
- (5) Approve, approve with conditions, or deny minor lot splits, subdivision preliminary plans, and minor site plans.

Decisions of the Project Review Committee Coordinator may be appealed to the Board of

Adjustment in accordance with section 1.11.

(D) *Membership.*

~~(1) The PRC may consist of the following members who may be present when their expertise is necessary for determination of needs of a project:~~

- ~~(a) City Manager or authorized representative;~~
- ~~(b) Development Services Director;~~
- ~~(c) Public Works Director;~~
- ~~(d) City Engineer;~~
- ~~(e) Utilities Director;~~
- ~~(f) Building Services Director;~~
- ~~(g) Police Chief;~~
- ~~(h) Fire Chief;~~
- ~~(i) Representative of the applicable utility providers (electric, gas, etc);~~
- ~~(j) Representative from Sumter County; and~~
- ~~(k) Representative from the Sumter County School Board.~~

(1) *Voting Members.* Voting members review, comment, recommend, and vote. The following positions comprise the voting membership of the PRC:

- (a) City Manager
- (b) Development Services Director - PRC Coordinator
- (c) Police Chief
- (d) Public Works Director
- (e) Utilities Director

(2) *Advisory members.* Advisory members may provide input and recommendations but do not vote. Attendance of advisory members at PRC meetings is on an as needed basis as determined by the PRC Coordinator. The following positions and entities comprise the advisory membership of the PRC:

- (a) City consulting engineer;
- (b) City Attorney
- (c) Building Services Director;
- (d) Sumter County Fire Chief / Villages Public Safety;
- (e) Representative of the applicable utility providers (electric, gas, etc);
- (f) Representative from Sumter County; and
- (g) Representative from the Sumter County School Board.

(3) *Other members.* The PRC Coordinator may request the attendance of other entities to represent areas of expertise and concern not represented by voting or advisory members. This may include, but not be limited to, the following:

- (a) Lake-Sumter Metropolitan Planning Organization (LSMPO)
- (b) Southwest Florida Water Management District (SWFWMD)
- (c) Florida Department of Transportation (FDOT)
- (d) Florida Department of Environmental Protection (FDEP)

(24) The PRC shall meet at least once a month provided the need is present to hold such meetings. An attempt should be made to have those persons present who have expertise necessary to determine issues concerning the project.

(5) *Quorum.* A quorum of the PRC shall consist of three voting members.

(36) Members of the PRC are required provide review comments in writing to the Project Review Committee Coordinator five days in advance of the meeting.

SECTION 2. The amendments to section 1.11 *Appeals* of the Land Development

Regulations are shown with ~~striketrough~~ for deletions and underline for additions and include:

1.11. Appeals.

(A) Any decision of the Development Services Director, Building Services Director, a Building Inspector, ~~or a Code Enforcement Officer,~~ or the Project Review Committee may be appealed to the Board of Adjustment within 30 days of the date of the decision.

SECTION 3. The amendments to subsection 5.1(D) *Expiration of Approvals* of the Land Development Regulations are shown with ~~striketrough~~ for deletions and underline for additions and include:

(D) *Expiration of approvals.* The approval of the preliminary plan or improvement plan shall be valid for a period of ~~42~~ 24 months. If the applicant has not obtained final plat approval within said ~~42~~ 24 months, and if an extension of time has not been approved by the City Commission on a demonstration of good cause, approval shall be automatically revoked and the applicant must reapply under the provisions of this code or any subsequent code then in effect. If the project is phased, the final plat approval must be obtained for each new phase within ~~42~~ 24 months of the date of plat approval of the previous phase.

SECTION 4. The amendments to subsection 6.1(C) *Agreements* of the Land Development Regulations are shown with ~~striketrough~~ for deletions and underline for additions and include:

(C) *Agreements.* It is the intent of the City Commission to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development, all in conformity with and to carry out the purposes of the comprehensive plan and land development regulations. Written agreements are encouraged and may be required by the City Manager prior to, or concurrently with, applying the technical standards contained in this Chapter within a proposed development site. These agreements should determine at a minimum the responsibility and timing for provision of infrastructure and services, maintenance of improvements, payment of applicable City impact fees and other similar development issues. Any such agreements or contracts shall be reviewed by all department heads affected by the agreement and the City Attorney prior to adoption by the City Commission.

SECTION 5. All ordinances or parts of ordinances in conflict herewith, be, and the same are hereby repealed.

SECTION 6. 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 7. This Ordinance shall be effective upon adoption during the second and final reading by the City of Wildwood City Commission.

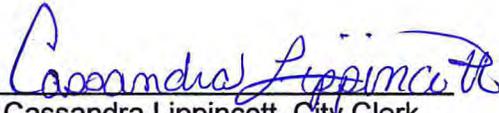
DONE AND ORDAINED this 27th day of April, 2015, by the City Commission of the City of Wildwood, Florida.

CITY COMMISSION
CITY OF WILDWOOD, FLORIDA

SEAL



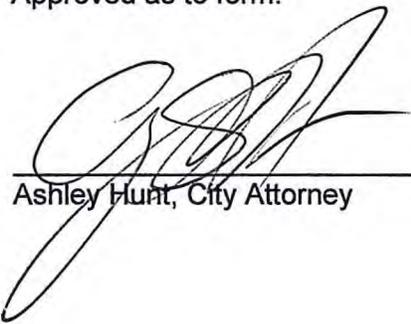
Ed Wolf, Mayor

ATTEST: 
Cassandra Lippincott, City Clerk

First Reading: April 13, 2015

Second Reading: April 27, 2015

Approved as to form:



Ashley Hunt, City Attorney