

ORDINANCE 2011 - _____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SUMTER COUNTY, FLORIDA, ADDING A NEW SECTION, SECTION 17-5, VILLAGES SPEED LIMITS, TO CHAPTER 17, OF THE SUMTER COUNTY CODE; PROVIDING FOR A DESIGN EXCEPTION TO THE MANUAL OF UNIFORM MINIMUM STANDARDS FOR DESIGN, CONSTRUCTION, AND MAINTENANCE FOR STREETS AND HIGHWAYS, PUBLISHED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION, TO PROVIDE FOR A 20 MILE PER HOUR SPEED LIMIT, UNLESS OTHERWISE POSTED, ON ALL ROADS, WITHIN THE VILLAGES DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 17, of the Sumter County Code, provides for regulations regarding the operation of vehicles on roads within the county; and

WHEREAS, The Villages of Sumter Development of Regional Impact, Tri-County Villages of Sumter Development of Regional Impact, and Villages of Wildwood Development of Regional Impact (collectively referred to as "The Villages DRI") is a large-scale dense mixed-use active retirement community located within the county; and

WHEREAS, the road network within The Villages DRI is comprised of local and collector roadways; and

WHEREAS, The Villages DRI road network is designed and constructed to promote a compact development pattern while maintaining safe vehicle and multi-modal transportation options; and

WHEREAS, the Board of County Commissioners of Sumter County, Florida, determined that clarification of speed limits within The Villages DRI is needed to assure that existing roads and proposed new roads are designed and constructed to the appropriate standard; and

WHEREAS, the Sumter County Code utilizes the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance, published by the Florida Department of Transportation, for roads throughout the county, including The Villages DRI.; and

WHEREAS, the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance (the Manual), provides guidelines regarding the appropriate design speed for roadways based on geometric design and other design factors. Table 16-1 of the Manual provides for minimum stopping sight distance based on the design speed; Table 16-2 of the Manual provides for minimum corner intersection sight distance based on design speed, and qualifies that by specifying a minimum of 200' sight distance where there is not STOP or YIELD control; and Table 16-3 of the Manual provides for minimum centerline radius of the road based on the design speed; and

WHEREAS, the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance provides for design exceptions to the guidelines for local subdivision roads and/or residential roads upon the adoption of an ordinance by the local government for such design exception; and

WHEREAS, the County's Public Works, Planning & Development, and County Administration staff met with representatives of The Villages DRI, on June 10, 2011, to discuss and review a potential design exception for roads within The Villages DRI related to speed limits; and

WHEREAS, County staff reviewed the proposed design exception to Table 16-3 and other design speed geometry and other design speed factors of the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance and does not object to setting all speed limits on roads within The Villages DRI to 20 miles per hour, unless otherwise posted; and

WHEREAS, nothing in this Ordinance eliminates the requirement for the Engineer of Record (EOR) for the Villages DRI, to design safe roads and signage within the Villages DRI to include higher and lower design speeds and relevant signage when dictated by the geometry of the road and as approved by County staff; and nothing in this Ordinance precludes the County staff from independently assessing roads, intersections and signage for more restrictive warning signs; and nothing precludes County staff from recommending lower or higher speed limits on residential roads within the Villages DRI to the Board of Sumter County Commissioners for their consideration; and

WHEREAS, Chapter 316.189, Florida Statutes, allows counties to set speed limits on roads; and those speed limits shall not take effect until the zone is posted by the County; and

WHEREAS, the Board of County Commissioners of Sumter County, Florida, concur that setting all speed limits on roads within The Villages DRI to 20 miles per hour, unless otherwise posted, is appropriate for the safe operation of vehicles on roads within The Villages DRI and will promote the intended development pattern of The Villages DRI; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sumter County, Florida, as follows:

1. Each of the **WHEREAS** clauses referenced above are hereby incorporated into this Ordinance, *in haec verba*.
2. The following new section shall be added to Chapter 17, Sumter County Code:

Section 17-5 Villages Speed Limits

All roads within The Villages of Sumter, Tri-County Villages of Sumter, and Villages of Wildwood, collectively referred to as "The Villages DRI", shall have a speed limit of 20 miles per hour, unless otherwise posted.

3. This Ordinance shall be cumulative of all provisions of the Ordinances of Sumter County, Florida, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event all ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

4. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

5. It is the intention of the Board of County Commissioners of Sumter County, Florida that the provisions of this Ordinance shall become and be made part of the Code of Ordinances of the Sumter County, Florida and the word "ordinance," or similar words may be changed to "section," "article," or other appropriate word or phrase and the sections of the Ordinance may be renumbered or re-lettered to accomplish such intention. The codifier is granted liberal authority to codify the provisions of this Ordinance.

6. For the design of new roads within The Villages DRI, this Ordinance shall take effect and be in force upon approval by the Board of County Commissioners of Sumter County, Florida. New roads are those roads whose design have not been approved through the County's development review process, as of the date of adoption of this Ordinance. For existing roads, this Ordinance shall take effect and be in force on January 1, 2012. Existing roads are those roads which were constructed as of the date of adoption of this Ordinance.

DONE AND ORDERED THIS _____ day of _____, 2011

**ATTEST: GLORIA HAYWARD
CLERK OF CIRCUIT COURT**

**BOARD OF COUNTY
COMMISSIONERS
SUMTER COUNTY, FLORIDA**

DEPUTY CLERK

DON BURGESS, CHAIRMAN