

ORDINANCE NO. 2010-02

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN OF LAKE COUNTY, "PLANNING HORIZON 2030" TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan has been prepared pursuant to the provisions of Chapter 163, the Local Government Comprehensive Planning and Land Development Regulation Act, and Chapter 380, the Florida Environmental Land and Water Management Act of 1972, Florida Statutes, and in compliance with Florida Administrative Code Rule 9J-5; and

WHEREAS, the Comprehensive Plan contains goals, objectives and policies to guide the development, redevelopment and revitalization of the County through the year 2030, addressing future land uses, transportation, housing, conservation, recreational facilities and open space, public facilities and capital improvements; and

WHEREAS, residents and property owners of the County have been instrumental to the drafting of the Comprehensive Plan, through participation in visioning exercises, citizen focus groups, workshops and an extensive series of public hearings held with the Local Planning Agency to solicit feedback on the draft elements and key issues; and

WHEREAS, pursuant to Chapter 163.3174, Florida Statutes, and the Florida Administrative Code Rule 9J-5, the Local Planning Agency has publicly considered the elements and maps of the Comprehensive Plan in their entirety during duly noticed public hearings conducted from April 5, 2004 to January 30, 2009, and support the goals,

objectives and policies, and implementation strategies within the Comprehensive Plan;
and

WHEREAS, on January 30, 2009, at a duly noticed public hearing, the Local Planning Agency considered and recommended to the Lake County Board of County Commissioners approval of the Comprehensive Plan; and

WHEREAS, in accordance with Sections 163.3184 and 166.041, Florida Statutes, public notice has been given that a public hearing shall be held regarding the transmittal of the proposed Comprehensive Plan to the Florida Department of Community Affairs; and

WHEREAS, the Board of County Commissioners finds that the proposed Comprehensive Plan, in substantially the form attached hereto, complies with applicable laws and is consistent with the State Plan, the Local Government Comprehensive Planning and Land Development Regulation Act (the "Act"), and promotes and protects the public health, safety and welfare; and

WHEREAS, the Board of County Commissioners desires to adopt the goals, objectives and policies of the attached Comprehensive Plan and all elements thereof as the Comprehensive Plan of Lake County, in accordance with State law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Transmittal. The Growth Management Department staff shall timely transmit the Comprehensive Plan attached as Exhibit "A" and all data and analysis to the

State of Florida Department of Community Affairs in its capacity as the State Land Planning Agency (the "Department"), as required by Chapters 163 and 380, Florida Statutes.

Section 3. Severability. That the provisions of this Ordinance are declared to be severable and if any goal, objective, policy, section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

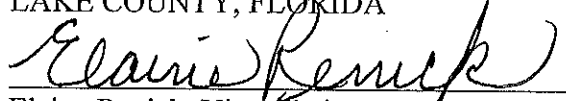
Section 4. Effective Date. That this Ordinance shall be effective immediately upon adoption by the Board of County Commissioners on second reading, except that the effective date of the Comprehensive Plan approved by this Ordinance shall be the date a final order is issued by the Department or Administration Commission finding the Comprehensive Plan in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on such Plan adoption may be issued or commenced before the Plan has become effective. The Department's notice of intent to find a plan in compliance shall be deemed to be a final order if no timely petition challenging the Comprehensive Plan is filed.

The foregoing Transmittal Ordinance was offered by Commissioner Hill, who moved for its adoption. This motion was seconded by Commissioner Stewart, and upon being put to a vote, the vote was as follows:

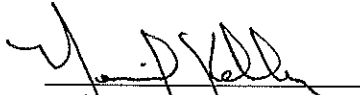
Commissioner Welton G. Cadwell	<u>YES</u>
Commissioner Elaine Renick	<u>YES</u>
Commissioner Jennifer Hill	<u>YES</u>
Commissioner Jimmy Conner	<u>YES</u>
Commissioner Linda Stewart	<u>YES</u>

PASSED AND ADOPTED on this 19th day of January, 2010.


BOARD OF COUNTY COMMISSIONERS,
LAKE COUNTY, FLORIDA


Elaine Renick, Vice-Chairman

ATTEST:


Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


Melanie Marsh,
Acting County Attorney