

1

ORDINANCE SUMMARY

The Lake County Zoning Board has assumed all duties of the Local Planning Agency and Land Planning Agency referenced in the Florida Statutes. To reflect these duties this ordinance changes the name of the Lake County Zoning Board to the Planning & Zoning Board throughout the Land Development Regulations (LDR).

Additions to the existing regulations are shown in underline and deletions are shown as ~~striketrough~~. Where three asterisks ("* * *") appear, it indicates that no changes occurred between the previous and following text or sections.

Ver. 12-12-11

2

3

4

ORDINANCE NO. 2012-__

5

6

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, TO RENAME THE LAKE COUNTY ZONING BOARD THE "LAKE COUNTY PLANNING & ZONING BOARD", AND TO CHANGE ALL REFERENCES IN THE FOLLOWING SECTIONS OF THE LAND DEVELOPMENT REGULATIONS FROM THE LAKE COUNTY ZONING BOARD TO THE LAKE COUNTY PLANNING & ZONING BOARD: SECTIONS 6.06.03, 7.00.04, 7.00.08, 13.04.00, 14.00.04, 14.00.05, 14.00.09, 14.03.02, 14.03.03, 14.05.02, 14.05.03, AND 14.05.05; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AND PROVIDING FOR AN EFFECTIVE DATE.

7

8

9

10

11

12

13

14

15

16

17

18

19

WHEREAS, Section 13.04.00 of the Lake County Land Development Regulations ("LDRs") addresses the functions, powers, duties, membership, officers and procedures governing the Lake County Zoning Board; and

20

21

22

23

WHEREAS, the Lake County Zoning Board makes recommendations to the Board of County Commissioners on applications affecting the land use and zoning of individual parcels of property within the unincorporated area of Lake County, determines whether specific proposed developments conform to the Comprehensive Plan and the Land Development Regulations, conducts public hearings and performs any other duties which may be lawfully assigned to the Zoning Board; and

24

25

26

27

28

29

30

WHEREAS, Section 163.3174 of the Florida Statutes requires the governing body of each local government to designate and establish by ordinance a "local planning agency" to review rezoning and Comprehensive Plan amendments; and

31

32

33

34

WHEREAS, through Ordinance 2011-48, the Lake County Zoning Board was

1 designated as the Local Planning Agency for Lake County by the Board of County
2 Commissioners; and

Comment [e1]: Ordinance 2011-48 was approved and effective in August 2011, but I think referencing the ordinance number only is fine.

3
4 **WHEREAS**, the current title of the Zoning Board does not reflect its duties as the Local
5 Planning Agency for Lake County; and

6
7 **WHEREAS**, the Board of County Commissioners wishes to rename the Zoning Board
8 the “Lake County Planning & Zoning Board”, and to amend all references in the LDRs to the
9 Lake County Zoning Board accordingly; and

10
11 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
12 Lake County, Florida, as follows:

13
14 **Section 1. Recitals.** The foregoing recitals are true and correct and hereby
15 incorporated herein by reference.

16
17 **Section 2. Amendment.** The Lake County Zoning Board is hereby renamed the
18 “Lake County Planning & Zoning Board”, and all references to the Lake County Zoning Board
19 contained within the following sections of the Lake County Code, Appendix E, Land
20 Development Regulations, shall be changed to read the Lake County Planning & Zoning Board:

21
22 Chapter VI RESOURCE PROTECTION STANDARDS
23 Section 6.06.03 Mining Site Plans and Operating Permits

24
25 Chapter VII WEKIVA RIVER REGULATIONS
26 Section 7.00.04 Permitted Uses in the Wekiva River Protection Area
27 Section 7.00.08 Transfer of Development Rights

28
29 Chapter XIII DECISION MAKING AND ADMINISTRATIVE BODIES
30 Section 13.04.00 Lake County Zoning Board

31
32 Chapter XIV ADMINISTRATION
33 Section 14.00.04 Applications
34 Section 14.00.05 Notice Procedure
35 Section 14.00.09 Res Judicata
36 Section 14.03.02 Application
37 Section 14.03.03 Standards for Review
38 Section 14.05.02 Application
39 Section 14.05.03 Standards for Review
40 Section 14.05.05 Actions by the Lake County Code Enforcement Special Master

41
42
43 **Section 3. Inclusion in Code.** It is the intent of the Board of County
44 Commissioners that the provisions of this Ordinance shall become and be made a part of the
45 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and

1 the word "ordinance" may be changed to "section", "article", or such other appropriate word or
2 phrase in order to accomplish such intentions.

3
4 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance
5 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
6 shall in no way affect the validity of the remaining portion of this Ordinance.

7
8 **Section 5. Filing with the Department of State.** The Clerk shall be and is
9 hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for
10 the State of Florida.

11
12
13 **Section 6. Effective Date.** This ordinance shall become effective as provided for by
14 law.

15
16
17 Enacted this ____ day of _____, 2012.

18
19 Filed with the Secretary of State _____.

20
21 Effective _____, 2012

22
23
24 BOARD OF COUNTY COMMISSIONERS
25 OF LAKE COUNTY, FLORIDA

26
27
28 _____
29 Leslie Campione, Chairman

30
31 This ____ day of _____, 2012.

32
33 ATTEST:

34
35
36 _____
37 Neil Kelly, Clerk of the
38 Board of County Commissioners
39 of Lake County, Florida

40
41
42 Approved as to form and legality:

43
44
45 _____
46 Sanford A. Minkoff

1 County Attorney
2

