1	ORDINANCE SUMMARY
2	Current regulations applying to public hearings before County boards and committees provide
3	that an applicant may request one continuance at least five (5) days prior to a public hearing, and
4	that the request can be administratively granted. This ordinance enlarges the five (5) day time
5	frame to ten (10) days, which will allow additional time for staff to inform the interested public
6	that the hearing has been continued.
7	
8	Changes are shown as follows: Strikethrough for deletions and Underline for additions to
9	existing Code sections. The notation "* * *" indicates that all preceding or subsequent text
10	remains unchanged. Renumbering and/or relettering were added as needed.
11	
12	ORDINANCE 2015 –
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14	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
15	LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE,
16	APPENDIX E, LAND DEVELOPMENT REGULATIONS, SECTION
17	14.00.06, ENTITLED "PROCEDURES GOVERNING PUBLIC
18	HEARINGS"; AMENDING PROCEDURES FOR CONTINUANCES OF
19	PUBLIC HEARINGS CONTAINED IN SECTION 14.00.06.L., BY
20	ALLOWING A REQUEST FOR A CONTINUANCE TO BE MADE AND
21	ADMINISTRATIVELY GRANTED TEN DAYS IN ADVANCE OF THE
22	SCHEDULED PUBLIC HEARING INSTEAD OF THE FIVE DAYS
23	CURRENTLY PERMITTED; PROVIDING FOR INCLUSION IN THE
24	CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
25	EFFECTIVE DATE.
26	
27	WHEREAS, the Lake County Board of County Commissioners (the "Board") desires to
28	create a predictable standard for the continuance of public hearings; and
29	WIIFDEAS the Decard decises to establish administrative meandures that are
30 31	WHEREAS , the Board desires to establish administrative procedures that are streamlined and appropriate for Lake County; and
32	straining and appropriate for Lake County, and
33	WHEREAS, members of the public have requested additional advance notice of an
34	applicant's request to postpone a public hearing, which currently may be made and
35	administratively granted five (5) days prior to the scheduled hearing pursuant to Section
36	14.00.06.L., Lake County Land Development Regulations (LDR); and
37	
38	WHEREAS, amending LDR Section 14.00.06.L. to require an applicant to request a
39	one-time continuance ten (10) days prior to the scheduled hearing rather than the five (5) days
40	currently required would permit staff additional time to notify the interested public that the
41	hearing will be continued to a future date; and
42 42	
43	

WHEREAS, the Planning & Zoning Board, in its capacity as the Local Planning
Agency, considered this ordinance and recommended approval at a properly advertised public
hearing on July 1, 2015; and

- 5 WHEREAS, on August 4, 2015, this Ordinance was heard at a public hearing before the
 6 Lake County Board of County Commissioners;
- 7 8

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

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

Section 2. Amendment. Lake County Code, Appendix E, Land Development Regulations, Section 14.00.06, entitled "Procedures Governing Public Hearings", is hereby amended to read as follows (changes are shown utilizing strikethrough for deletions and <u>underline</u> for additions to existing Code sections. The notation "* * *" indicates that all preceding or subsequent text remains unchanged):

19 14.00.06 Procedures Governing Public Hearings. The following procedures Shall
 apply to all boards and committees established by the County, including the Board of County
 Commissioners:

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23 L. Postponement of Application. An application scheduled for public hearing may
24 be postponed as follows:

* * *

- An applicant may request one (1) continuance of the scheduled public hearing provided such request is filed with the county manager, or designee, at least
 five (5)ten (10) days prior to the scheduled hearing. The county manager or designee may grant the request. The applicant shall be required to pay all additional costs for republication and mailing. All interested parties, including the applicant and noticed property owners shall be given due notice of the delay and of the new hearing date and time.
- 2. The board may continue a public hearing when it is deemed necessary to
 acquire additional information, public testimony, or time in order to render a
 determination. It is the intent of the board that continuances be limited to no
 more than one (1) so as to not unduly inconvenience the public. However, the
 board may grant additional continuances for good cause based on extenuating
 circumstances.
- 40 Section 3. Severability. If any section, sentence, clause or phrase of the Ordinance
 41 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
 42 shall in no way affect the validity of the remaining portions of this Ordinance.

1 2 3 4 5	Section 4. Inclusion in the Code. It is the intent of the Board of Coursisioners that the provisions of this Ordinance shall become and be made a part of Lake County Code and that the sections of this Ordinance may be renumbered or re-lettered the word "ordinance" may be changed to "section", "article" or such other appropriate word phrase in order to accomplish such intentions.	the and
6 7 8 9 10	Section 5. Filing with the Department of State. The clerk shall be and is her directed forthwith to send a copy of this Ordinance to the Secretary of State for the State Florida in accordance with Section 125.66, Florida Statutes.	•
11 12 13	Section 6. Effective Date. This Ordinance shall become effective as provided fo law.	r by
14 15	Enacted this day of, 2015.	
16 17	Filed with the Secretary of State, 2015.	
18 19 20 21 22 23 24	BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA	
25 26	This day of, 2015.	
27 28 29 30 31	ATTEST:	
32 33 34 35 36	Neil Kelly, Clerk of the Board of County Commissioners of Lake County, Florida	
30 37 38 39 40	Approved as to form and legality:	
40 41 42	Sanford A. Minkoff County Attorney	