## **Summary of Ordinance**

The purpose of this Ordinance is to amend Lake County Code, Appendix E, Land Development Regulations ("LDR"), in order to expressly designate public safety services as a permitted land use in all zoning districts. Specifically, this Ordinance:

- 1. Amends Chapter II Definitions to add definition Public Safety Service; and
- 2. Amends Chapter III, Section 3.01.02 *Classification of Uses* to designate public safety services as a permitted land use in all zoning districts; and
- 3. Amends Section 3.01.03 Table *Schedule of Permitted and Conditional Uses* to add public safety services as a permitted land use in all zoning districts.

Changes are shown as follows: Strikethrough for deletions and <u>Underline</u> for additions to existing Code sections. The notation "\* \* \*" shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or relettering that might be needed).

<b>ORDINANCE</b> 2	2018-XX
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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS; AMENDING CHAPTER II "DEFINITIONS"; AMENDING SECTION 3.01.02 TO DESIGNATE PUBLIC SAFETY SERVICES AS A PERMITTED LAND USE IN ALL ZONING DISTRICTS; AMENDING SECTION 3.02.03 TABLE TO ADD PUBLIC SAFETY SERVICES AS A PERMITTED LAND USE IN ALL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Lake County, Florida desires to amend Lake
County Code, Appendix E, Land Development Regulations, to expressly designate public safety services
as a permitted land use in all zoning districts; and

**WHEREAS**, the Lake County Board of County Commissioners determines that these amendments are in the best interests of the citizens of Lake County, Florida.

**NOW THEREFORE**, be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. <u>Recitals.</u> The foregoing recitals are true and correct and incorporated herein.

Section 2. <u>Amendment.</u> Chapter II, Lake County Code, Appendix E, Land Development
Regulations, entitled *Definitions*, shall be amended to include the following. All other definitions contained
in Chapter II, not specifically referenced herein as being amended, shall remain the same.

## 31 **Chapter II – Definitions.**

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32 Public Safety Service. A benefit provided by a Governmental or Public Agency, or an entity
33 owned or operated by a Governmental or Public Agency, for the protection of the health, safety, or
34 general welfare of the residents of Lake County, Florida. This includes but is not limited to law

enforcement, firefighting, emergency medical assistance or transport, search and rescue, and
hazardous material cleanup.

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4 **Section 3.** <u>Amendment.</u> Zoning District Use Regulations in Section 3.01.02, Lake County 5 Code, Appendix E, Land Development Regulations, is hereby amended as follows. Specifically, Section 6 3.01.02, entitled *Classification of Uses*, is amended to designate public safety services as a permitted land 7 use in all zoning districts.

8 9 3.01.02 Classification of Uses. 10 \* \* \* 11 E. Community Facility Uses. 12 \* \* \* 13 16. Public Safety Service. A benefit provided by a Governmental or Public Agency, or an entity owned or operated by a Governmental or Public Agency, for the protection of 14 15 the health, safety, or general welfare of the residents of Lake County, Florida. This 16 includes but is not limited to law enforcement, firefighting, emergency medical assistance 17 or transport, search and rescue, and hazardous material cleanup. \* \* \* 18 19

20 Section 4. <u>Amendment.</u> Section 3.01.03 Table, Lake County Code, Appendix E, Land 21 Development Regulations, entitled *Schedule of Permitted and Conditional Uses*, is hereby amended as 22 follows. Specifically, Section 3.01.03 Table *Schedule of Permitted and Conditional Uses* is amended to 23 allow Public Safety Services as a permitted use in all zoning districts by adding the following row for 24 "Public Safety Service" under the "Community Facility Uses" subsection of the table.

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3.01.03 Schedule of Permitted and Conditional Uses.

										Z	ON	ING DI	STR	ICTS	5								
Use Classificat ions	A	R A	A R	R 1	R 2	R 3	R 4	R 6	R 7	R1 0	R P	RMR P*	R M	C1 *	C2 *	C3 *	C P	L M	H M	M P	CF D	R V	CONDITION / LDR SECTION
	COMMUNITY FACILITY USES																						
Cemetery	С																Ρ				Р		10
College or Universit Y	С														Р	Р	Р				Р		

Church														Р	Р	Р	Р				Р	11
Communi ty Residenti al Home										Ρ				Р	Р		P				Р	Sec. 3.01.02.E.4
Cultural Institutio n														Р	Р	Р	Р	Р			Р	Sec. 3.01.02.E.5
Day Care Center														Р	Р	Р	P				Р	Sec. 3.01.02.E.6
Dormitor y															Р	Р	Р				Р	Sec. 3.01.02.E.7
Expressw ay Interchan ge, Wekiva																					Ρ	
Family Day Care Home	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р				Р	Sec. 3.01.02.E.8
Family Residenti al Home	P	Р	Р	Р	P	P	Р	P	P	Р	Р	Р	Р	Р	Р						Р	Sec. 3.01.02.E.9
Landfill	С																Ρ	С	С	Р		21
Nursing Home									с	с	с				Р	Р					Р	Sec. 3.01.02.E.1 3
Primary or Secondar y School	С	с	с	с	с	с	с	с	Р	Р	Р	С	с	Р	Р	Р		Р			Р	

Public Safety Service Utilities,	P P	<u>Р</u> Р	P P	<u>Р</u> Р	<u>P</u>	<u>Sec.</u> <u>3.01.02.E.</u> <u>16</u> Sec.3.01.02																	
Limited Utilities, Major	c	-	•							•				P	P	P	P	P	P	P	P		.E.14 Sec.3.01.02 .E.15
Wireless Antennas , Towers and Equipme nt															<u> </u>	1						1	a., b. & c. below covered in Sec. 3.13.00
a. Camoufla ged	Р	Ρ	Р	Р	Р	Р	Р	Р	Ρ	Ρ	Ρ	Ρ	Р	Ρ	Р	Ρ	Р	Р	Р	Р	Ρ	Р	19
b. Amateur Radio Station Operator s/ Receive Only Antennas	P	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Р	Р	Ρ	Ρ	Р	Ρ	Ρ		
c. All others must meet 3.13.00 requirem ents	С	С	C	с	С	С	C	С	с	С	С	C	с	С	С	С	C	С	С	С	Р	с	19*

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1 **Section 5.** <u>Inclusion in Code.</u> It is the intent of the Board of County Commissioners that the 2 provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections 3 of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", 4 "article", or such other appropriate word or phrase in order to accomplish such intentions.

6 Section 6. **Severability.** If any section, sentence, clause, phrase or word of this Ordinance is 7 for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall 8 not affect the remaining portions of this Ordinance; and it shall be construed to have been the 9 Commissioners' intent to pass this Ordinance without such unconstitutional, invalid or inoperative part 10 therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and 11 held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof 12 shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or 13 14 circumstances. 15

16 Section 7. Filing with the Department of State. The Clerk shall be and is hereby directed
17 forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in
18 accordance with Section 125.66, Florida Statutes.
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Section 8. <u>Effective Date.</u> This ordinance shall become effective as provided for by law.

ENACTED this day of \_\_\_\_\_, 2018.

FILED with the Secretary of State the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

27 ATTEST:

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BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA

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32	Neil Kelly, Clerk of the	Timothy I. Sullivan, Chairman	
33	Board of County Commissioners of		
34	Lake County, Florida	This day of	, 2018.
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36	Approved as to form and legality:		
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39 Melanie Marsh, County Attorney