## **Summary of Ordinance**

This Ordinance amends Section 3.01.02.A., Lake County Code, Appendix E, Land Development Regulations, entitled *Residential Uses*, and Section 9.10.02., Lake County Code, Appendix E, Land Development Regulations, entitled *Design Standards*, to delete the roof pitch requirement for both single family homes and commercial development.

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).

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2	ORDINANCE NO. 2023
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4	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
5	LAKE COUNTY, FLORIDA; AMENDING THE FOLLOWING SECTIONS
6	OF THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT
7	<b>REGULATIONS: SECTION 3.01.02.A, ENTITLED RESIDENTIAL USES;</b>
8	AMENDING SECTION 9.10.02., ENTITLED DESIGN STANDARDS;
9	<b>REMOVING THE ROOF PITCH REQUIREMENTS FOR COMMERCIAL</b>
10	DEVELOPMENT AND SINGLE FAMILY HOMES; PROVIDING FOR
11	SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE;
12	<b>PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND</b>
13	PROVIDING FOR AN EFFECTIVE DATE.
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15	WHEREAS, as part of Ordinance 2003-85, the Board of County Commissioners (Board)
16	imposed a minimum width regulation and roof pitch requirement on all single-family dwelling
17	units in response to a Florida law that required regulations on mobile homes and modular homes
18	be applied without regard to the type of construction for such structures, thereby resulting in a code
19	requirement that all single-family dwelling units be no less than 23 feet 4 inches in width; and
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21	WHEREAS, the Board adopted Ordinance 2019-67 in December 2019, for purposes of
22	promoting architectural and site design treatments that enhance the visual appearance of the built
23	environment, to create and maintain an image of commercial quality, and to provide visual interest
24	and a sense of place, while allowing design flexibility; and
25 26	WHEREAS, residents and business owners have expressed concerns regarding the roof
26 27	pitch requirements as interfering with design flexibility when there are other ways in which to
27	accomplish the intent of the Land Development Regulations; and
28 29	accomption the intent of the Land Development Regulations, and
29 30	WHEREAS, the Board has determined that removing these requirements are in best
30 31	interests of the public health, safety, and welfare of the residents of Lake County, Florida.
31 32	incrests of the public hearth, safety, and wenare of the residents of Lake County, Piolida.
32 33	NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of
33 34	Lake County, Florida as follows:
54	Lake County, 1 londa as follows.

1 **Section 1.** <u>Legal Findings of Fact.</u> The foregoing recitals are hereby adopted as 2 legislative findings of the Board of County Commissioners and are ratified and confirmed as being 3 true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

5 **Section 2.** <u>Amendment.</u> Section 3.01.02.A, Lake County Code, Appendix E, Land 6 Development Regulations, entitled *Classification of Uses – Residential Uses*, shall be amended to 7 read as follows:

- 3.01.02 Classification of Uses.
  A. Residential Uses:
  1. Single-Family Dwelling Unit. One (1) Dwelling Unit, including modular and mobile homes, that may be detached from any other Dwelling Unit or may be attached to another single-family Dwelling Unit on an adjacent Lot by a common
  - attached to another single-family Dwelling Unit on an adjacent Lot by a common party wall.
    a. The pitch of the main roof Shall not be less than one (1) foot of rise for each four (4) feet of horizontal run and a minimal overhang of six (6) inches.
    - Installed gutter may be counted as part of the six (6) inch overhang.
       ba. A solid foundation or Permanent skirting Shall be required around the perimeter of the unit.
    - eb. Any wheels, tongue or any transportation apparatus must be removed or enclosed.
  - 2. Duplex or Two-Family Dwelling. A single Building containing two (2) Dwelling Units.
- Multifamily Dwelling. Three (3) or more Dwelling Units within a single Building.
   Typical uses include Apartments, residential Condominiums, and townhouses.
  - 4. Mobile Home Dwelling. One (1) Dwelling Unit within a mobile home.
- 5. Recreational Vehicle Park. A parcel of Land under unified ownership and Management which is planned, designed and constructed for the placement of recreational vehicles and tents for short-term occupancy of spaces rented from the owner for recreational purposes.
  - \*\*\*\*\* (All other subsections of Section 3.01.02 shall remain unchanged)
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Section 3. <u>Amendment.</u> Section 9.10.02.A, Lake County Code, Appendix E, Land
 Development Regulations, entitled *Design Standards – Building Standards*, shall be amended to
 read as follows:

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9.10.02 Design Standards. The following standards shall apply to nonresidential buildings and structures on parcels within the Commercial, Industrial and Community Facility zoning classifications and located on an arterial or collector road within Lake County. Portions of buildings and structures on these parcels that are not visible from the road shall not be subject to these requirements. Existing development shall comply with these requirements when substantially improved.

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1	А.	Building Design.
2		1. Materials and colors. Buildings shall be constructed to have the following:
3 4 5 6 7 8 9 10		<ul> <li>a. Significant use of two building materials shall be incorporated into the design to establish a clear texture change.</li> <li>b. Façade colors shall be neutral or earth tone colors.</li> <li>c. Building trim, doors, shutters, and accent areas may feature other colors, including primary colors and black. Metallic, fluorescent, or neon tubing shall not be permitted for building trim or accent areas.</li> <li>2. Massing. Massing shall be used to encourage pedestrian scale elements in building design, and to reduce bulk and mass of buildings.</li> </ul>
11		3. Roofs. Roofs shall be constructed to meet the following minimum criteria:
12 13 14 15 16 17 18		<ul> <li>a. Parapets concealing flat roofs; or</li> <li>b. Sloping roofs of 3:12 or greater, with overhanging eaves extending no less than two (2) feet past the supporting walls; or</li> <li>eb. Three (3) or more roof slope planes that do not exceed the average height of the supporting walls, with overhanging eaves extending no less than two (2) feet past the supporting walls.</li> <li>4. Building Lighting.</li> </ul>
19 20 21 22 23 24 25		<ul> <li>a. Lighting shall be decorative and blend with the architectural style of the development.</li> <li>b. All lighting shall be cutoff fixtures designed and located so as to minimize glare and overhead sky glow.</li> <li>c. Canopy and overhead lighting shall be recessed or shielded in a manner that prevents lighting of the horizontal axis.</li> <li>5. Mechanical Equipment.</li> </ul>
26 27 28 29 30 31 32 33 34		<ul> <li>a. All mechanical equipment shall be located as far as reasonably possible from adjoining residential uses.</li> <li>b. Roof-mounted mechanical equipment shall be shielded from view with the use of a parapet wall or other architectural feature.</li> <li>c. Ground-mounted mechanical equipment shall be located within twenty (20) feet of the principal structure on the site and shall be shielded on all sides with acoustically lined walls that are at least two feet higher than the top of the equipment and treated to match the exterior of the building.</li> </ul>
35 36 37 38		***** (All other subsections of Section 9.10.02 shall remain unchanged)
39 40	c	Section 4. <u>Severability.</u> If any section, sentence, clause, or phrase or word of this
40 41		ce is for any reason held or declared to be invalid, unconstitutional, inoperative or void by
42		t of competent jurisdiction, then said holding shall in no way affect the validity of the
12	-	a nortion of this Ordinance; and it shall be construed to have been the Commissioners'

43 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners

intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof 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 circumstances.

8 Section 5. <u>Inclusion in the Code.</u> It is the intent of the Board of County 9 Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake 10 County Code and that the sections of this Ordinance may be renumbered or relettered and the word 11 "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in 12 order to accomplish such intentions.

Section 6. <u>Filing with the Department of State.</u> The Clerk shall be and is hereby directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

17 Effective Date. This Ordinance shall become effective as provide for by Section 7. 18 law. 19 20 Enacted this \_\_\_\_\_ day of \_\_\_\_\_, 2023. 21 22 Filed with the Secretary of State \_\_\_\_\_, 2023. 23 24 25 26 27 BOARD OF COUNTY COMMISSIONERS ATTEST: OF LAKE COUNTY, FLORIDA 28 29 30 31 Gary J. Cooney, Clerk of the Kirby Smith, Chairman 32 33 **Board of County Commissioners** of Lake County, Florida 34 This \_\_\_\_\_ day of \_\_\_\_\_, 2023. 35 36 37 38 39 Approved as to form and legality: 40 41 42

43 Melanie Marsh, County Attorney

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