Summary of Ordinance

The purpose of this Ordinance is to amend Chapter II, *Definitions*, and Section 3.01.03 *Schedule of Permitted and Conditional Uses*, Lake County Code, Appendix E, Land Development Regulations, to encourage the use of floating solar facilities as directed by Section 163.32051, Florida Statutes.

Changes are shown as follows: Strikethrough for deletions and Underline 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).

1 2

ORDINANCE 2024-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE FOLLOWING SECTIONS OF THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS: CHAPTER II, ENTITLED DEFINITIONS, AND SECTION 3.01.03, ENTITLED SCHEDULE OF PERMITTED AND CONDITIONAL USES; DEFINING AND PERMITTING FLOATING SOLAR FACILITIES 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, recent amendments to State law as set forth in Chapter 2022-83, Laws of Florida, codified in Section 163.32051, Florida Statutes, defines the term "floating solar facility" and provides that a floating solar facility must be a permitted use in appropriate land use categories in each local government's Comprehensive Plan and each local government must amend its land development regulations to promote the expanded use of floating solar facilities; and

WHEREAS, under Chapter III, Conservation Element, Objective III-4.2, Energy Conservation, Lake County 2030 Comprehensive Plan, Lake County encourages the use of solar and other clean alternative energy sources and thus satisfies the portion of Section 163.32051, Florida Statutes, that requires floating solar facilities to be allowed and encouraged in the Comprehension Plan; and

WHEREAS, to fully comply with Section 163.32051, Florida Statutes, requiring floating solar facilities to be permitted and encouraged in the Land Development Regulations, floating solar facilities shall be defined in Land Development Regulations, Chapter II, *Definitions*, and become a clearly permitted use in all zoning districts under Section 3.01.03; and

WHEREAS, the Board has determined that adopting this Ordinance is in the best interests of the residents of Lake County, Florida.

1	NOW THEREFORE, be it ordained by the Board of County Commissioners of Lake
2 3	County, Florida, as follows:
4	Section 1. <u>Legislative Findings of Fact.</u> The foregoing recitals are hereby adopted as
5	legislative findings of the Board of County Commissioners and are ratified and confirmed as being
6	true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.
7	
8	Section 2. <u>Amendment.</u> Chapter II, Lake County Code, Appendix E, Land
9	Development Regulations, entitled <i>Definitions</i> , is hereby amended to read as follows:
10	
11	
12	CHAPTER II DEFINITIONS
13	(11 1 1 1
14 15	(All preceding definitions shall remain unchanged.)
15 16	****
17	
18	Floating Solar Facility. A solar facility as defined in Section 163.3205(2), Florida
19	Statutes, as amended, which is located on wastewater treatment ponds, abandoned limerock mine
20	areas, stormwater treatment ponds, reclaimed water ponds, or other water storage reservoirs.
21	
22	****
23 24	(All following definitions shall remain unchanged.)
24	
25	Section 2 Accordance Continue 20102 Labor Country Code According E. Land
26	Section 3. Amendment. Section 3.01.03, Lake County Code, Appendix E, Land
27 28	Development Regulations, entitled <i>Schedule of Permitted and Conditional Uses</i> , is hereby amended to read as follows:
20	anended to read as ronows.

3.01.03 Schedule of Permitted and Conditional Uses.

	ZO	NING	DIST	RICTS																			
Use Classifications	Α	RA	AR	R1	R2	R3	R4	R6	R7	R10	RP	RMRP ¹	RM	C1 ²	C2 ²	C3 ²	CP 6, 7	LM	НМ	MP 6, 7	CFD ⁶	RV	CONDITION/
RESIDENTIAL USES																							
Single-Family Dwelling Unit Bed & Breakfast	P	P	P P	P C	P C	P C	P C	P C	Р		P C	P ¹	Р	P ²	P ²	P ²	Р	Р	Р	Р			Sec. 3.01.02.1.A.1 Sec. 3.12.03
Home	-	F																					3ec. 3.12.03
Bed & Breakfast Inn	С	С	С	С							Р			Р	Р	Р	Р						Sec. 3.12.02
Two-Family Dwelling Unit						Р	Р	Р	Р	Р	Р												Sec. 3.01.02.A.2
Multi-Family Dwelling Unit							Р	Р	Р	Р	С			Р	Р	Р	Р	P ⁸	P ⁸				Sec. 3.01.02.A.3
Recreational Vehicle Park																						Р	Sec. 3.01.02.A.5
Mixed-Use Residential District														P ⁸	P ⁸	P ⁸		P ⁸	P ⁸				Sec. 3.01.02.G
AGRICULTURAL USES				_														•	•	•		•	
General Agriculture	Р																	P^3	P^3	P^3	Р		Sec. 3.01.02.B.1
Non-Intensive Agricultural	Р	Р	Р	Р																	Р		Sec. 3.01.02.B.2
Agricultural Housing/Camps	С	С																					Sec. 3.12.02.B.4
Chicken Farms	С																						
Egg Processing Facilities	С																						
Exotic Animals	С																						3.01.02.B.14
Family Gardens		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р										Sec. 3.01.02.B.3
Greyhound Dog Farms	С																						Sec. 3.01.02.B.5
Hog Farms	С																						

Horse-Breeding	Р	Р	Р	Р																			
Farms																							
Kennels	С														Р		Р	Р	Р	Р			Sec. 3.01.02.B.6 & Chap. II, Definitions
Loft/Aviary	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р						
Mills	С																			Р			Sec. 3.01.2.B.7
Mining and Quarrying	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С		Sec. 3.01.02.B.8
Plant Nurseries *5 acre requirement	Р	С	С	C*										Р	Р	Р	Р						Sec. 3.01.02.B.9
Obnoxious Uses	С													С	С	С	С	С	С	С	С		Chap. II, Definitions
Roadside Farm Stands	Р	Р	С																			`	Sec. 3.01.02.B.10
Slaughter Houses	С																		С				
Veterinary Clinics	Р										С			С	С	С	Р	С	Р	Р			Sec. 3.01.02.B.11
COMMERCIAL USES (S	See P	olicy	1-1.13	3 of C	ompr	ehen	sive P	lan fo	or cor	nmerci	al site	e restriction	ons in	Emplo	ymen	t Cent	er lan	ıd use	design	nation	.)		
Adult Use															С		С						Sec. 3.01.02.C.2 & Sec. 3.07.00
Amusements, Commercial	С													С	С		Р						Sec. 3.01.02.C.2
Automotive Repair															Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.3
Automotive Service Station/Convenience Store														P	P	Р	Р			Р			Sec. 3.01.02.C.4
Banking														Р	Р	Р	Р			Р			Sec. 3.01.02.C.5
Bar or Tavern														Р	Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.6
Carwash														Р	Р	Р	Р			Р			Chap. II, Definitions
Consumer Services and Repair															Р		Р	Р		Р		С	Sec 3.01.02.C.7
Electronic Game Room Facility														P ⁴			Sec. 3-67, Article X						
Hotel or Motel															Р	Р	Р						Sec.3.01.02.C.8

Marina	С	С	С							Р	Р	Р			Р	Р		Sec. 3.01.02.C.9
Medical Service							Р		Р	Р	Р	Р	Р	Р	Р			Sec.3.01.02.C.10
Personal Care Services									Р	Р	Р	Р	Р		Р			Sec.3.01.02.C.11
Professional Office							Р		Р	Р	Р	Р	Р	Р	Р	Р		Sec.3.01.02.C.12
Recreation, Commercial										Р	Р	Р	Р					Sec.3.01.02.C.13
Research Services										Р	Р	Р	Р	Р	Р			Sec.3.01.02.C.14
Restaurant, Fast Food									Р	Р	Р	Р	P	Р	Р			Sec.3.01.02.C.15
Restaurant, General									Р	Р	Р	Р	Р	Р	Р		С	Sec.3.01.02.C.16
Retail, Convenience								С	Р	Р	Р	Р	Р	Р	Р		С	Sec. 3.01.02.C.17
Retail, General									Р	Р	Р	Р			Р		С	3.01.02.C.18
Self-Service Laundry							Р	Р	Р	Р		Р						Sec. 3.01.02.C.19
Self-Service Storage										С		Р	Р	Р	Р			Sec. 3.01.02.C.20
Theaters										Р		Р				Р		Sec. 3.01.02.C.21
Recreational Vehicles																	Р	Sec. 3.01.02.C.21
Truck Yard	С											Р	Р	Р	Р			Sec. 3.01.02.C.22
Vehicular Sales										С	С	Р	Р	Р	Р			Sec. 3.01.02.C.23
Wholesale and Warehouse										Р	Р	Р	Р	Р	Р			Sec.3.01.02.C.24
INDUSTRIAL USES																		
Airport														Р	Р	Р		Sec. 4.01.00
Industrial, Light													Р	Р	Р			Sec. 3.01.02.D.1
Industrial, Heavy	С													P, C	P, C			Sec. 3.01.02.D.2
Junkyard												Р		Р	Р			Sec. 3.01.02.D.4
Recycling Center													Р	Р	Р	Р		Sec. 3.01.02.D.3
Trucking Facilities													Р	Р	Р			

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COMMUNITY FACILITY USES																							
Assisted Living			I														I				Р	1	F.S. Ch. 400, Pt.
Facility																							III
Cemetery	С																Р				Р		Sec. 3.01.02.E.1
College or University	С														Р	Р	Р				Р		Sec. 3.01.02.E.2
Church														Р	Р	Р	Р				Р		Sec. 3.01.02.E.3
Comprehensive																					Р		Sec.
Transitional																							3.01.02.E.11
Education Facility																							
Community										Р				Р	Р		Р				Р		Sec. 3.01.02.E.4
Residential Home																							
Cultural Institution														Р	Р	Р	Р	Р			Р		Sec. 3.01.02.E.5
Day Care Center														Р	Р	Р	Р				Р		Sec. 3.01.02.E.6
Dormitory															Р	Р	Р				Р		Sec. 3.01.02.E.7
Expressway Interchange, Wekiva																					Р		
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 Residential	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р						Р		Sec. 3.01.02.E.9
Home																							
Landfill	С																P	С	С	Р			Sec. 3.01.02.E.12
Nursing Home									С	С	С				Р	Р					Р		Sec. 3.01.02.E.13
Primary or	С	С	С	С	С	С	С	С	Р	Р	Р	С	С	Р	Р	Р		Р			Р		Sec.
Secondary School	ļ																						3.01.02.E.10
Public Safety Service	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	P	Р	Р	Р	Р	Р	Sec. 3.01.02.E.16
Utilities, Limited	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р		Sec.3.01.02.E.14
Utilities, Major	С													Р	Р	Р	Р	Р	Р	Р	Р		Sec.3.01.02.E.15
Wireless Antennas, Towers and Equipment		•			•						•												a., b. & c. below covered in Sec. 3.13.00
a. Camouflaged	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
b. Amateur Radio Station Operators/	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р		

2024-__ Floating Solar Facilities LDR Amendment

Receive Only Antennas																							
c. All others must meet 3.13.00 requirements	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	Р	С	
Floating Solar Facility	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
RECREATIONAL USES																							
Club Private or Country														Р	Р	Р	Р				Р		Sec. 3.01.02.F.1
Riding Stable or Academy	С	С	С																		Р		Sec. 3.01.02.F.2
Parks and Recreation	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	P ⁵	С	Sec. 3.01.02.F.4				
Hunting and Fishing Resorts	С	С	С	С	С										С						Р	С	Sec. 3.01.02.F.3

1	Section 4. <u>Inclusion in Co</u>	ode. It is the intent of the Board of County Commissioners
2	that the provisions of this Ordinance	shall become and be made a part of the Lake County Code
3	and that the sections of this Ordinance	may be renumbered or relettered and the word "ordinance"
4	may be changed to "section", "article	", or such other appropriate word or phrase to accomplish
5	such intentions.	
6		
7	Section 5. <u>Severability.</u>	If any section, sentence, clause, or phrase or word of this
8	Ordinance is for any reason held or de	clared to be invalid, unconstitutional, inoperative or void by
9	any court of competent jurisdiction, t	hen said holding shall in no way affect the validity of the
10		and it shall be construed to have been the Commissioners'
11	intent to pass this Ordinance without s	uch unconstitutional, invalid or inoperative part therein; and
12	the remainder of this Ordinance, after	the exclusion of such part or parts shall be deemed and held
13	to be valid, as if such parts had not be	een included herein; or if this Ordinance or any provisions
14	thereof shall be held inapplicable to	any person, groups of persons, property, kind of property,
15	circumstances or set of circumstances,	such holding shall not affect the applicability thereof to any
16	other person, property or circumstance	es.
17		
18		e Department of State. The Clerk shall be and is hereby
19		ic copy of this Ordinance to the Secretary of State for the
20	State of Florida in accordance with Se	ction 125.66, Florida Statutes.
21		
22	· · · · · · · · · · · · · · · · · · ·	This Ordinance shall become effective as provided for by
23	law.	
24		
25	ENACTED this day of	day of, 2024.
26		2004
27	FILED with the Secretary of S	tate the day of, 2024.
28		
29		
30	A TYPE OT	
31	ATTEST:	BOARD OF COUNTY COMMISSIONERS
32		OF LAKE COUNTY, FLORIDA
33		
34 35		
36	Gary J. Cooney, Clerk	Kirby Smith, Chairman
37	Board of County Commissioners of	Kirby Siliui, Chairman
38	Lake County, Florida	This day of, 2024.
39	Lake County, Plorida	11115 day of
40		
41		
42	Approved as to form and legality:	
43	ripproved as to form and legality.	
44		
45		
46	Melanie Marsh, County Attorney	
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