

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).

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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.

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3.01.03 Schedule of Permitted and Conditional Uses.

Use Classifications	ZONING DISTRICTS																						CONDITION/ LDR SECTION
	A	RA	AR	R1	R2	R3	R4	R6	R7	R10	RP	RMRP ¹	RM	C1 ²	C2 ²	C3 ²	CP _{6,7}	LM	HM	MP _{6,7}	CFD ⁶	RV	
RESIDENTIAL USES																							
Single-Family Dwelling Unit	P	P	P	P	P	P	P	P	P		P	p ¹	p	p ²	p ²	p ²	P	P	P	P			Sec. 3.01.02.1.A.1
Bed & Breakfast Home	P	P	P	C	C	C	C	C			C												Sec. 3.12.03
Bed & Breakfast Inn	C	C	C	C							P			P	P	P	P						Sec. 3.12.02
Two-Family Dwelling Unit						P	P	P	P	P	P												Sec. 3.01.02.A.2
Multi-Family Dwelling Unit							P	P	P	P	C			P	P	P	P	p ⁸	p ⁸				Sec. 3.01.02.A.3
Recreational Vehicle Park																						P	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	P																		p ³	p ³	p ³	P	Sec. 3.01.02.B.1
Non-Intensive Agricultural	P	P	P	P																		P	Sec. 3.01.02.B.2
Agricultural Housing/Camps	C	C																					Sec. 3.12.02.B.4
Chicken Farms	C																						
Egg Processing Facilities	C																						
Exotic Animals	C																						3.01.02.B.14
Family Gardens		P	P	P	P	P	P	P	P	P	P	P	P										Sec. 3.01.02.B.3
Greyhound Dog Farms	C																						Sec. 3.01.02.B.5
Hog Farms	C																						

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

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COMMUNITY FACILITY USES																							
Assisted Living Facility																						P	F.S. Ch. 400, Pt. III
Cemetery	C																					P	Sec. 3.01.02.E.1
College or University	C														P	P	P					P	Sec. 3.01.02.E.2
Church														P	P	P	P					P	Sec. 3.01.02.E.3
Comprehensive Transitional Education Facility																						P	Sec. 3.01.02.E.11
Community Residential Home										P					P	P						P	Sec. 3.01.02.E.4
Cultural Institution															P	P	P	P	P			P	Sec. 3.01.02.E.5
Day Care Center															P	P	P	P				P	Sec. 3.01.02.E.6
Dormitory																P	P	P				P	Sec. 3.01.02.E.7
Expressway Interchange, Wekiva																						P	
Family Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P	Sec. 3.01.02.E.8
Family Residential Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P	Sec. 3.01.02.E.9
Landfill	C																		P	C	C	P	Sec. 3.01.02.E.12
Nursing Home										C	C	C				P	P					P	Sec. 3.01.02.E.13
Primary or Secondary School	C	C	C	C	C	C	C	C	P	P	P	C	C	P	P	P			P			P	Sec. 3.01.02.E.10
Public Safety Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 3.01.02.E.16
Utilities, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec.3.01.02.E.14
Utilities, Major	C														P	P	P	P	P	P	P	P	Sec.3.01.02.E.15
Wireless Antennas, Towers and Equipment																					a., b. & c. below covered in Sec. 3.13.00		
a. Camouflaged	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
b. Amateur Radio Station Operators/	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

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

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1 **Section 4. Inclusion in Code.** 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. Severability.** If any section, sentence, clause, or phrase or word of this
8 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by
9 any court of competent jurisdiction, then said holding shall in no way affect the validity of the
10 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners’
11 intent to pass this Ordinance without such 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 been 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 circumstances.
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18 **Section 6. Filing with the Department of State.** The Clerk shall be and is hereby
19 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the
20 State of Florida in accordance with Section 125.66, Florida Statutes.
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22 **Section 7. Effective Date.** This Ordinance shall become effective as provided for by
23 law.
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25 ENACTED this day of _____ day of _____, 2024.
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27 FILED with the Secretary of State the ____ day of _____, 2024.
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31 ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

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35 _____
36 Gary J. Cooney, Clerk
37 Board of County Commissioners of
38 Lake County, Florida
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Kirby Smith, Chairman

This ____ day of _____, 2024.

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42 Approved as to form and legality:
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45 _____
46 Melanie Marsh, County Attorney