

1 **Summary of Ordinance**

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3 This purpose of this Ordinance is to update the 2030 Lake County Comprehensive Plan as required by
4 Section 163.3191, Florida Statutes, known as the Evaluation and Appraisal Report (EAR) process. The
5 Ordinance will update policies and procedures to allow Solar Facilities (Section 163.3205(3), Florida
6 Statutes), and Floating Solar Facilities (Section 163.32051, Florida Statutes), in all future land use
7 categories, along with Resiliency Facilities (Section 163.3210, Florida Statutes) in all commercial,
8 industrial and manufacturing future land use categories. The Ordinance will also change Florida
9 Department of Health references to Florida Department of Environmental Protection as the entity with
10 jurisdiction over wastewater systems.

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12 Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The
13 notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or
14 relettering that might be needed).

15 **ORDINANCE 2025 - _____**

16 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA,**
17 **AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN AS REQUIRED BY THE EVALUATION**
18 **AND APPRAISAL REPORT PROCESS PURSUANT TO SECTION 163.3191, FLORIDA STATUTES;**
19 **AMENDING THE COMPREHENSIVE PLAN TO ALLOW FLOATING SOLAR FACILITIES AND SOLAR**
20 **FACILITIES AS REQUIRED BY SECTIONS 163.32051 AND 163.3205(3), FLORIDA STATUTES, IN ALL**
21 **FUTURE LAND USE CATEGORIES; AMENDING THE COMPREHENSIVE PLAN TO ALLOW**
22 **RESILIENCY FACILITIES IN ALL COMMERCIAL, INDUSTRIAL AND MANUFACTURING FUTURE**
23 **LAND USE CATEGORIES AS REQUIRED BY SECTION 163.3210, FLORIDA STATUTES; AMENDING**
24 **POLICIES WITHIN THE FUTURE LAND USE ELEMENT, THE INTERGOVERNMENTAL**
25 **COORDINATION ELEMENT, AND THE PUBLIC FACILITIES ELEMENT TO CHANGE DEPARTMENT**
26 **OF HEALTH TO DEPARTMENT OF ENVIRONMENTAL PROTECTION; AMENDING CHAPTER XI,**
27 **DEFINITIONS; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA**
28 **STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

29 **WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal
30 planning, and land development regulation in the State of Florida; and

31 **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County
32 Commissioners of Lake County to “prepare and enforce comprehensive plans for the development of the
33 county”; and

34 **WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May 2010, the
35 Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030
36 Comprehensive Plan; and

37 **WHEREAS**, on the 23rd day of July 2010, the State of Florida Department of Community Affairs,
38 now known as the Bureau of Community Planning and Growth, Florida Department of Commerce, published
39 a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In Compliance" with
40 Chapter 163, Florida Statutes; and

1 **WHEREAS**, on the 22nd day of September 2011, the Lake County 2030 Comprehensive Plan
2 became effective; and

3 **WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of
4 Comprehensive Plan Amendments; and

5 **WHEREAS**, pursuant to Section 163.3191, Florida Statutes, each local government is required to
6 complete an Evaluation and Appraisal of the comprehensive plan at least once every seven years to reflect
7 changes in state requirements; and

8 **WHEREAS**, the Department of Commerce received Lake County’s Evaluation and Appraisal
9 Notification letter on May 1, 2024, and the required amendments must be transmitted to the state within one
10 year of the Notification Letter using the state coordinated review process; and

11 **WHEREAS**, Section 163.3205(3), Florida Statutes, adopted by the Florida Legislature in 2021,
12 states that a solar facility shall be a permitted use in all agricultural land use categories in a local government
13 comprehensive plan and all agricultural zoning districts within an unincorporated areas; and

14 **WHEREAS**, Section 163.32051, Florida Statutes, adopted by the Florida Legislature in 2022, states
15 that a floating solar facility shall be a permitted use in the appropriate land use categories in each local
16 government comprehensive plan, and each local government must amend its land development regulations
17 to promote the expanded use of floating solar facilities; and

18 **WHEREAS**, Section 163.3201, Florida Statutes, adopted by the Florida Legislature in 2024, states
19 that a resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use
20 categories in a local government comprehensive plan; and

21 **WHEREAS**, on the 5th day of February 2025, this Ordinance was heard at a public hearing before
22 the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

23 **WHEREAS**, on the on the ____ day of _____ 2025, this Ordinance was heard at a public hearing
24 before the Lake County Board of County Commissioners for approval to adopt and transmit to the state
25 planning agency and other reviewing agencies; and

26 **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt
27 the amendment to the Lake County Comprehensive Plan and Future Land Use Map.

28 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
29 Florida, that:

30 **Section 1. Legislative Findings of Fact.** The foregoing recitals are hereby adopted as
31 legislative findings of the Board of County Commissioners and are ratified and confirmed as being true and
32 correct and are hereby made a specific part of this Ordinance upon adoption hereof.

33 **Section 2. Comprehensive Plan Text Amendment.** The following provisions of the 2030
34 Comprehensive Plan are hereby amended to change references from the Florida Department of Health to
35 the Florida Department of Environmental Protection pursuant to Section 163.3180, Florida Statutes:

Policy I-4.4.6	Policy VI-1.6.15	Policy VI-1.6.16	Policy VI-1.6.17
Policy VI-1.6.18	Policy VI-1.6.19	Policy VI-1.6.20	Policy VI-1.6.21
Policy IX-3.2.5	Policy IX-3.3.1	Policy IX-3.3.3	Policy IX-3.3.4
Chapter XI, Definitions, Biohazardous Waste	Chapter XI, Acronyms, replace DOH with DEP in column one including replacing full name		

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2 **Section 3. Comprehensive Plan Text Amendment.** The following policies within the 2030
 3 Comprehensive Plan are hereby amended as follows to address Solar Facilities and Floating Solar Facilities,
 4 as required by Sections 163.32051 and 163.3205, Florida Statutes:

5 A. Chapter XI, Definitions, shall be amended to read as follows:

<u>Floating Solar Facility</u>	<u>As defined in Section 163.32051, Florida Statutes.</u>
Green Energy Facility	Facilities generating energy from solar , wind or similar technologies.
<u>Solar Facility</u>	<u>As defined in Section 163.3205, Florida Statutes</u>

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7 B. Solar Facilities and Floating Solar Facilities shall be added as a Typical Use to the following Future
 8 Land Use Element Polices:

Policy I-1.3.2	Policy I-1.3.3	Policy I-1.3.4	Policy I-1.3.6	Policy I-1.3.7
Policy I-1.3.8	Policy I-1.4.4	Policy I-1.4.5	Policy I-1.5.1	Policy I-1.5.2
Policy I-1.5.3	Policy I-3.2.1	Policy I-3.2.2	Policy I-3.2.3	Policy I-3.2.4
Policy I-3.2.5	Policy I-3.2.6	Policy I-4.2.2	Policy I-4.2.3	Policy I-4.2.4
Policy I-4.2.5	Policy I-4.2.6	Policy I-4.2.7	Objective I-7.14	

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10 **Section 4. Comprehensive Plan Text Amendment.** The following policies within the 2030
 11 Comprehensive Plan are hereby amended as follows to address Resiliency Facilities as required by Section
 12 163.3210, Florida Statutes:

1 A. Chapter XI, Definitions, shall be amended to read as follows:

<u>Resiliency Facility</u>	<u>As defined in Section 163.3210, Florida Statutes.</u>
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3 B. Resiliency Facilities shall be added as a Typical Use to the following Future Land Use Element
4 Polices:

Policy I-1.3.2	Policy I-1.3.3	Policy I-1.3.4	Policy I-1.3.6
Policy I-1.3.7	Policy I-1.3.8	Policy I-1.5.3	Objective I-7.14

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7 **Section 5. Comprehensive Plan Text Amendment.** Policy I-8.2.1, Future Land Use
8 Categories, within the 2030 Comprehensive Plan pertaining to Wellness Way Area Plan shall be amended
9 to read as follows:

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11 **Policy I-8.2.1 Future Land Use Categories**

12 The following six future land use categories, as depicted on the Future Land Use Map, shall be unique
13 to the WWUSA and are intended to provide for a broad range of compatible and complimentary uses
14 including employment, housing, recreation, agriculture and conservation uses. Solar Facilities and
15 Floating Solar Facilities shall be permitted in each of the WWUSA Future Land Use Categories as
16 authorized by Section 163.3205(3), Florida Statutes, and Section 163.32051, Florida Statutes. The
17 general purpose of each category is described below. Specific allowable uses shall be provided for in
18 the implementing Land Development Regulations, design guidelines and standards.

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20 A. The **Multi-Use FLUC** is intended to be the primary concentration of employment and non-residential
21 uses in Wellness Way. There are two distinct Multi-Use Districts. The Multi-Use W District is
22 centered on the intersection of Wellness Way and US 27. The Multi-Use L District, supporting
23 increased options for logistics and distribution, occurs at the planned County Road 455 and the
24 Lake-Orange Connector expressway. Resiliency Facilities shall be permitted in this category
25 pursuant to Section 163.3210, Florida Statutes.

26 B. The **US 27 FLUC** is intended to support moderate density residential, commercial, and employment
27 uses that service the daily needs of the residents and employee from nearby neighborhoods and
28 workplaces. The District is not intended to create a conventional 'strip commercial' frontage along
29 US 27. Resiliency Facilities shall be permitted in this category pursuant to Section 163.3210, Florida
30 Statutes.

- 1 C. The **Neighborhood FLUC** is intended to support lower density neighborhood development outside
2 the boundaries of Wellness Way’s community and employment centers in the US 27 and Multi-Use
3 Districts. This is the largest district and requires flexibility in design to accommodate neighborhood
4 and housing types for many market segments.
- 5 D. The **Conservation Subdivision FLUC** is intended to promote a balance between carefully
6 designed residential development while supporting the ecological value of the ‘mosaic’ of wetlands
7 and uplands that characterize the area. Recognition of wildlife corridors is central to the purpose of
8 the District.
- 9 E. The **Wellness Way North FLUC** is intended to implement the existing Wellness Way Area Plan
10 allocation of low density residential with the required minimum of non-residential/employment
11 square footage.
- 12 F. The **Water Conserv II FLUC** is intended to recognize the public ownership nature of the land holding
13 and as such, no private urban land uses are permitted. Public facilities, including schools, utilities
14 and other support facilities for public uses are permitted. Public access as an open space amenity
15 is highly encouraged.

16 These tiers’ Future Land Use Categories and density and intensity calculation are described in Policy I-
17 8.2.1.2.

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19 **Section 6. Comprehensive Plan Text Amendment.** The following Policies of the 2030
20 Comprehensive Plan shall be repealed as the properties have been annexed into municipal limits or
21 otherwise developed:

- 22 • Policy I-1.6.1 Specific Limitations on the Center Lake Properties (Annexed into the Town of
23 Monteverde). This Policy shall be shown as “Reserved”.
- 24 • Policy I-1.6.3 Specific Limitations on the Hart Property (Annexed into the City of Clermont). This
25 Policy shall be shown as “Reserved”.
- 26 • Policy I-1.6.4 Specific Limitations on the Vrablick Property (Annexed into the City of Groveland).
27 The Policy shall be shown as “Reserved”.
- 28 • Policy I-1.6.9 Specific Limitations on the Nola Land Company Property (Annexed into the City
29 of Clermont). The Policy shall be shown as “Reserved”.

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31 **Section 7. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and
32 163.3184, Florida Statutes.

33 **Section 8. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is
34 for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall
35 not affect the remaining portions of this Ordinance; and it shall be construed to have been the
36 Commissioners’ intent to pass this Ordinance without such unconstitutional, invalid or inoperative part
37 therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and
38 held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof
39 shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set
40 of circumstances, such holding shall not affect the applicability thereof to any other person, property or
41 circumstances.

1 **Section 9. Effective Date.** The effective date of this plan amendment, if the amendment is not
2 timely challenged, shall be no less than 31 days after the state land planning agency notifies the local
3 government that the plan amendment package is complete; however, the Effective Date shall be the date
4 the Ordinance is recorded in the public records of Lake County, Florida, at the applicant’s expense. If timely
5 challenged, this amendment shall become effective on the date the state land planning agency, or the
6 Administration Commission enters a final order determining this adopted amendment to be in compliance.
7 No development orders, development permits, or land uses dependent on this amendment may be issued
8 or commence before it has become effective. If a final order of noncompliance is issued by the
9 Administration Commission, this amendment may nevertheless be made effective by adoption of a
10 resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning
11 agency.

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13 **ENACTED** this _____ day of _____, 2025.

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15 **FILED** with the Secretary of State _____, 2025.

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BOARD OF COUNTY COMMISSIONERS

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LAKE COUNTY, FLORIDA

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Leslie Campione, Chairman

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ATTEST:

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Gary J. Cooney, Clerk
Board of County Commissioners of
Lake County, Florida

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Approved as to form and legality:

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Melanie Marsh, County Attorney

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