

Summary of Ordinance

This Ordinance amends Section 14.00.05, Lake County Code, Land Development Regulations entitled *Notice Procedure*, to update the notice procedures for public hearings related to development applications.

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).

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING SECTION 14.00.05, LAKE COUNTY CODE, ENTITLED *NOTICE PROCEDURE*; AMENDING THE NOTICE PROCEDURES FOR PUBLIC HEARINGS RELATED TO DEVELOPMENT APPLICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 14.00.05, Lake County Code, Appendix E, Land Development Regulations, entitled *Notice Procedure*, has not been updated since 2017, through Ordinance 2017-52, adopted by the Board of County Commissioners on October 31, 2017; and

WHEREAS, the Board has determined that updating the notice procedures for public hearings related to development applications is in the best interests of the residents of Lake County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida as follows:

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

Section 2. Amendment. Section 14.00.05, Lake County Code, Appendix E, Land Development Regulations, entitled *Notice Procedure*, is hereby amended to read as follows:

14.00.05 Notice Procedure. Notice of all public hearings which are required by a provision of these regulations Shall be given as follows, unless expressly stated otherwise:

A. Publication of Notice.

1. Board of County Commissioners: Publication of the notice of a hearing before the Board of County Commissioners Shall comply with the applicable provisions of the Florida Statutes.
2. Lake County Planning and Zoning Board and Board of Adjustment. Publication of notice before the Lake County Planning and Zoning Board and Board of Adjustment Shall be

properly advertised in a newspaper of general circulation at least ten (10) calendar days before the hearing date.

~~3. Notice of intent to consider a development agreement under Section 14.18.00, Land Development Regulations, shall be advertised approximately seven (7) calendar days before each public hearing in a newspaper of general circulation and readership in Lake County. The day, time and place at which the second public hearing will be held shall be announced at the first public hearing.~~

B. Mailing of Notice. ~~1.~~The County Manager or designee shall mail notices to the owners of all real property contiguous to and within three hundred (300) feet of the perimeter of the applicant's property subject to the application no later than ten (10) days before the hearing date. If the property involved is part of a larger parcel, the perimeter of the larger parcel shall be used for this purpose. However, if the larger parcel is a planned unit development (PUD), all owners within the PUD shall be notified. The names and addresses of adjacent property owners shall be determined by reference to the latest approved ad valorem tax roll. Mailing of said notice shall be considered notice.

~~2. For development agreements pursuant to Section 14.18.00, Land Development Regulations, notice of intent to consider a development agreement shall be mailed to all affected property owners before the first public hearing. The day, time, and place at which the second public hearing will be held shall be announced at the first public hearing.~~

C. Posting of Notice. ~~The County Manager or designee, the applicant, or the property owner shall post a copy of the notice on the property subject to the application. The notice shall be located where the notice would be in the most conspicuous place to the passing public. In addition, the notice shall be posted on the public access roads and county road(s) closest to the property subject to the application. The property shall be posted a minimum of ten (10) calendar days prior to the public hearing. The County Manager or designee shall post one (1) sign on the subject property that contains the general notice of public hearing message, the Lake County website address, and the QR code for information access with a mobile device. The sign shall be posted in such a way that the notice is visible from the right-of-way or in a place conspicuous to the passing public, as determined by the County Manager or designee, ten (10) days prior to the scheduled Planning and Zoning Board meeting. The sign will be provided by the County. Signs to be posted shall contain the information set forth in subsection D below.~~

D. Content of Notice. All notices required hereunder shall be substantially similar to the following:~~include at a minimum the following information:~~

<p><u>LAKE COUNTY PUBLIC HEARING</u></p> <p><u>PUBLIC HEARINGS CONCERNING THIS PROPERTY WILL BE HELD BY THE BOARD OF ADJUSTMENT OR THE PLANNING & ZONING BOARD AND BOARD OF COUNTY COMMISSIONERS.</u></p> <p><u>FOR INFORMATION VISIT [WEB ADDRESS]</u></p> <p><u>QR CODE</u></p>

- ~~1. Date, time and place of public hearing.~~
- ~~2. Title of the ordinance, if applicable.~~
- ~~3. The place where the ordinance can be inspected, if applicable.~~
- ~~4. A statement advising that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.~~
- ~~5. For development agreements pursuant to Section 14.18.00, Land Development Regulations, the notice shall specify the location of the land subject to the development agreement, the development uses proposed on the property, the proposed population densities, and the proposed building intensities and height and shall specify a place where a copy of the proposed agreement can be obtained.~~

E. Postponement. If notice of the public hearing is not provided in accordance with the standards provided above, the public hearing shall be postponed to a later date ~~in order~~ to provide adequate notice to the public.

F. Notice Procedures for Development Agreements Pursuant to Section 14.18.00, Land Development Regulations.

1. Publication of Notice. Notice of intent to consider a development agreement under Section 14.18.00, Land Development Regulations, shall be advertised approximately seven (7) calendar days before each public hearing in a newspaper of general circulation and readership in Lake County. The day, time, and place at which the second public hearing will be held shall be announced at the first public hearing.
2. Mailing of Notice. Notice of intent to consider a development agreement shall be mailed to all affected property owners within three hundred (300) feet of the perimeter of the applicant's property subject to the application no later than seven (7) days before the hearing date before the first public hearing. The day, time, and place at which the second public hearing will be held shall be announced at the first public hearing.
3. Content of Notice. The notice shall specify the location of the land subject to the development agreement, the development uses proposed on the property, the proposed population densities, and the proposed building intensities and height and shall specify a place where a copy of the proposed agreement can be obtained.

Section 3. Severability. If any section, sentence, clause, or phrase or word of this Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by any court of competent jurisdiction, then said holding shall in no way affect the validity of the 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.

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

1 **Section 5. Filing with the Department of State.** The Clerk shall be and is hereby directed
2 forthwith to send an electronic copy of this Ordinance to the Secretary of State for the State of Florida in
3 accordance with Section 125.66, Florida Statutes.
4

5 **Section 6. Effective Date.** This Ordinance shall become effective on _____, 2025 for
6 public hearings beginning in _____ 2025.
7

8
9 Enacted this _____ day of _____, 2025.

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11 Filed with the Secretary of State _____, 2025.
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15 ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

16
17
18 _____
19 Gary J. Cooney, Clerk of the
20 Board of County Commissioners
21 of Lake County, Florida

Leslie Campione, Chairman
This ____ day of _____, 2025.

22
23
24
25 Approved as to form and legality:
26
27

28 _____
29 Melanie Marsh, County Attorney