

1 **Staff Summary**

2  
3 This ordinance amends several sections of the Lake County Land Development Regulations to change  
4 references to the Lake County Zoning Board to the Lake County Planning & Zoning Board to reflect their  
5 duties as the designated Local Planning Agency required by Ch. 163, Florida Statutes.  
6

7 On January 4, 2012, the Zoning Board voted 4-0 to recommend that this ordinance be approved. On  
8 February 7, 2012 the Board of County Commissioners granted approval to advertise this ordinance.  
9

10 Additions to the existing regulations are shown in underline and deletions are shown as ~~strike through~~.  
11

12 Ver. 11-18-11  
13

14 **ORDINANCE NO. 2012-\_\_**

15  
16 **AN ORDINANCE OF THE BOARD OF COUNTY**  
17 **COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE**  
18 **FOLLOWING SECTIONS OF THE LAKE COUNTY CODE, APPENDIX**  
19 **E, LAND DEVELOPMENT REGULATIONS TO CHANGE ALL**  
20 **REFERENCES FROM THE LAKE COUNTY ZONING BOARD TO THE**  
21 **LAKE COUNTY PLANNING & ZONING BOARD: SECTIONS 6.06.03,**  
22 **7.00.04, 7.00.08, 13.04.00, 14.00.04, 14.00.05, 14.00.09, 14.03.02, 14.03.03,**  
23 **14.05.02, 14.05.03, 14.05.05, 14.18.03; PROVIDING FOR SEVERABILITY;**  
24 **PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR**  
25 **FILING WITH THE DEPARTMENT OF STATE, AND PROVIDING FOR**  
26 **AN EFFECTIVE DATE.**  
27

28 **WHEREAS**, Section 13.04.00 of the Lake County Land Development Regulations  
29 (“LDRs”) addresses the functions, powers, duties, membership, officers and procedures  
30 governing the Lake County Zoning Board; and  
31

32 **WHEREAS**, the Lake County Zoning Board makes recommendations to the Board of  
33 County Commissioners on applications affecting the land use and zoning of individual parcels of  
34 property within the unincorporated area of Lake County, determines whether specific proposed  
35 developments conform to the Comprehensive Plan and the Land Development Regulations,  
36 conducts public hearings and performs any other duties which may be lawfully assigned to the  
37 Zoning Board; and  
38

39 **WHEREAS**, Section 163.3174 of the Florida Statutes requires the governing body of  
40 each local government to designate and establish by ordinance a “local planning agency” to  
41 review rezoning and Comprehensive Plan amendments; and  
42

43 **WHEREAS**, the Lake County Zoning Board was designated as the Local Planning  
44 Agency for Lake County on January 5, 2010 by the Board of County Commissioners; and  
45

46 **WHEREAS**, the current title of the Zoning Board does not reflect their duties as the  
47 Lake County as the Local Planning Agency; and

1  
2 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of  
3 Lake County, Florida, as follows:

4  
5 **Section 1. Recitals.** The foregoing recitals are true and correct and hereby  
6 incorporated herein by reference.

7  
8 **Section 2. Amendment.** All references to the Lake County Zoning Board or Local  
9 Planning Agency contained within the following sections of the Lake County Code, Appendix E,  
10 Land Development Regulations, shall be changed to read the Lake County Planning & Zoning  
11 Board:

12  
13  
14 Chapter VI RESOURCE PROTECTION STANDARDS

15 Section 6.06.03 Mining Site Plans and Operating Permits

16  
17 Chapter VII WEKIVA RIVER REGULATIONS

18 Section 7.00.04 Permitted Uses in the Wekiva River Protection Area

19 Section 7.00.08 Transfer of Development Rights

20  
21 Chapter XIII DECISION MAKING AND ADMINISTRATIVE BODIES

22 Section 13.04.00 Lake County Zoning Board

23  
24 Chapter XIV ADMINISTRATION

25 Section 14.00.04 Applications

26 Section 14.00.05 Notice Procedure

27 Section 14.00.09 Res Judicata

28 Section 14.03.02 Application

29 Section 14.03.03 Standards for Review

30 Section 14.05.02 Application

31 Section 14.05.03 Standards for Review

32 Section 14.05.05 Actions by the Lake County Code Enforcement Special Master

33 Section 14.18.03 Public Hearings

34  
35 **Section 3. Inclusion in Code.** It is the intent of the Board of County  
36 Commissioners that the provisions of this Ordinance shall become and be made a part of the  
37 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and  
38 the word "ordinance" may be changed to "section", "article", or such other appropriate word or  
39 phrase in order to accomplish such intentions.

40  
41 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance  
42 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding  
43 shall in no way affect the validity of the remaining portion of this Ordinance.

