

1 Staff Summary

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3 This ordinance amends Chapter V-A, Land Development Regulations, which requires a  
4 certification from the School Board stating that sufficient school capacity either exists or will  
5 exist at the time the development takes place prior to approving plats, site plans, or master park  
6 plans creating five or more lots or dwelling units. Chapter V-A, Land Development Regulations,  
7 is currently scheduled to expire on December 31, 2007. However, to prevent further  
8 overcrowding of schools, this ordinance extends the Chapter V-A, Land Development  
9 Regulations, expiration date until December 31, 2008.

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12 **ORDINANCE NO. 2007-\_\_\_\_\_**

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14 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**  
15 **LAKE COUNTY, FLORIDA; AMENDING CHAPTER V-A ENTITLED**  
16 **NECESSARY PUBLIC SERVICES AND FACILITIES, SECTION 5A.01.02**  
17 **ENTITLED APPLICABILITY, TO EXTEND THE EXPIRATION DATE;**  
18 **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN**  
19 **THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**  
20

21 **WHEREAS**, on October 17, 2006, the Board of County Commissioners of Lake County,  
22 Florida enacted Ordinance 2006-107 which requires certification from the School Board stating  
23 that sufficient school capacity either exists or will exist at the time development takes place prior  
24 to approving plats, site plans, or master park plans creating five (5) or more lots or dwelling  
25 units; and

26 **WHEREAS**, Ordinance 2006-107 was enacted in order to comply with Objective 1-5  
27 and Policies 1-5.1, 1-5.2, 1-7, 1-7.1, 1-7.2, 1-1.9 11-1.1 of the Lake County Comprehensive  
28 Plan; and

29 **WHEREAS**, Ordinance 2006-107 was enacted to comply with Senate Bill 360 which  
30 requires all counties to create a school concurrency element as part of the Comprehensive Plan  
31 by the year 2008; and

32 **WHEREAS**, Lake County was elected to participate as a Pilot Community by the  
33 Department of Community Affairs, to develop the necessary data, inventory, and documents to  
34 implement school concurrency; and

35 **WHEREAS**, Lake County is in the process of gathering the necessary documents and  
36 formulating the required comprehensive plan amendments to formally adopt school concurrency;  
37 and

1           **WHEREAS**, schools in Lake County are still over capacity and allowing additional  
2 development will only further burden schools; and

3           **WHEREAS**, the original expiration date of December 31, 2007 contained in Ordinance  
4 2006-107, has not allowed enough time to alleviate school overcrowding; and

5           **WHEREAS**, to prevent further overcrowding of schools the Board of County  
6 Commissioners of Lake County, Florida finds it necessary to continue to withhold approval from  
7 plats, site plans, master park plans, or lot splits which create five (5) or more lots or dwelling  
8 units in areas where schools are overcrowded until December 31, 2008.

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

11           **Section 1.    Recitals.**       The foregoing recitals are true and correct and incorporated  
12 herein by reference.

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14           **Section 2.    Amendment.** Chapter V-A, Lake County Code, Land Development  
15 Regulations, entitled Necessary Public Services and Facilities, shall be amended to read as  
16 follows:  
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18           **CHAPTER V-A       NECESSARY PUBLIC SERVICES AND FACILITIES**

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20           **5-A.00.00       General Provisions; Purpose and Intent**

21           **5-A.01.01       Required Educational Facilities To Be In Place Prior To Creation Of New**  
22 **Lots or Creation of New Dwelling Units**

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24           **5-A.01.02       Applicability.**

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26           **5-A.00.00       General Provisions; Purpose and Intent.**

27  
28           **5-A.01.01       Required Educational Facilities To Be In Place Prior to Creation Of New**  
29 **Lots or Creation of New Dwelling Units.**

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31           **5-A.01.02       Applicability.** The requirements of this Chapter shall be applicable to all final  
32 plats, site plans, master park plans or lot splits approved on or after September 6, 2006, unless  
33 vested pursuant to Chapter 1 of these Land Development Regulations. This Chapter shall remain  
34 in effect until December 31,—2007 2008, unless extended by the Board of County  
35 Commissioners.  
36

37           **Section 3.    Inclusion in Code.** It is the intent of the Board of County  
38 Commissioners that the provisions of this Ordinance shall become and be made a part of the

1 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and  
2 the word "ordinance" may be changed to "section", "article", or such other appropriate word or  
3 phrase in order to accomplish such intentions.  
4

5 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance  
6 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding  
7 shall in no way affect the validity of the remaining portion of this Ordinance.  
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9 **Section 5. Effective Date.** This ordinance shall become effective December 31,  
10 2007.  
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12 Enacted this \_\_\_\_\_ day of October 2007.

13 Filed with the Secretary of State \_\_\_\_\_ day of October 2007.

14 Effective 31<sup>st</sup> day of December, 2007.  
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17 ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF LAKE COUNTY, FLORIDA

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21 \_\_\_\_\_  
22 James C. Watkins, Clerk of the  
23 Board of County Commissioners  
24 of Lake County, Florida

\_\_\_\_\_

Welton G. Cadwell, Chairman

This \_\_\_\_\_ day of \_\_\_\_\_, 2007.

25  
26  
27 Approved as to form and legality:  
28

29 \_\_\_\_\_  
30 Sanford A. Minkoff  
31 County Attorney