

**ORDINANCE NO. 2016-07**

**AN ORDINANCE BY THE TOWN COMMISSION AMENDING THE TOWN OF LADY LAKE LAND DEVELOPMENT REGULATIONS CHAPTER 9, MISCELLANEOUS REGULATIONS; ADDING SECTION 9-10, ENTITLED FAÇADE IMPROVEMENT PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

**WHEREAS**, on January 23, 1992, the Florida Department of Community Affairs determined that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

**WHEREAS**, on August 15, 1994, the Town of Lady Lake adopted the Land Development Regulations of the Town of Lady Lake, Florida in accordance with the Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, on January 5, 2016, the Economic Development Advisory Committee reviewed the proposed amendment to the Land Development Regulations, which are attached hereto as Exhibit "A", and recommended to the Town Commission of the Town of Lady Lake that said amendment be adopted; and

**WHEREAS**, the Town of Lady Lake has elected to amend Chapter 9, Miscellaneous Regulations of the Land Development Regulations, finding it is in the best interest of the Town of Lady Lake to promote the general welfare of its citizens and to enhance the property values of commercial structures through incentivizing façade improvements.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA:**

**Section 1. Amendment.** "The Land Development Regulations of the Town of Lady Lake, Florida," dated August 15, 1994 (the "Land Development Regulations") is hereby amended as provided below:

Chapter 9, Miscellaneous Regulations, adding Section 9-10, entitled Façade Improvement Program as set forth in Exhibit "A;" attached hereto and incorporated herein.

**Section 2. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any reason held, or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this ordinance; and it shall be construed to have been the Town Commission's 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 3. Conflicts.** All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

**Section 4. Codification.** The provisions of this Ordinance shall be codified as and become part of the Town's Land Development Regulations. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance," or similar words, may be changed to "Section," "Article," or other appropriate word.

**Section 5. Applicability.** This Ordinance does not have retroactive applicability and cannot be applied to improvements completed prior to the effective date of this Ordinance.

**Section 6. Effective Date.** This ordinance shall become effective upon adoption.

**PASSED AND ORDAINED** in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, this 1<sup>st</sup> day of **February, 2016**.

**TOWN OF LADY LAKE, FLORIDA**

Ruth Kussard  
Ruth Kussard, Mayor

ATTEST:

Kris Kollgaard  
Kris Kollgaard, Town Clerk

APPROVED AS TO FORM:

Derek Schroth  
Derek Schroth, Town Attorney



**EXHIBIT "A"**

**Section 9-10. Façade Improvement Program**

- A) *Purpose.* Through this program, business owners and tenants are eligible for a grant match of up to fifty percent (50%) of the cost of their exterior improvements, with a maximum reimbursement of \$2,500.00 per property. Two (2) grants are awarded per fiscal year, and are allocated on a first come, first served basis provided all eligibility requirements are satisfied; no award shall be granted to the same structure within a three year period.
- B) *Eligibility Requirements.* To participate in the Façade Improvement Program, the structure must be:
1. located within the Downtown Redevelopment Area Boundary (see Figure A below). (Applicants within the Downtown Redevelopment Area will be given priority to the grant award; however, the Town Commission may award the grant to applicants outside of the Downtown Redevelopment Area on a case-by-case basis, provided they meet all other eligibility requirements); and
  2. used for a business operating at minimum 20 hours a week; and
  3. have a commercial zoning designation (HC, LC, CP, CT).
- C) *Qualifying as an Applicant.* To participate in the Facade Improvement Program, the applicant may be the property owner or the operating tenant. If the tenant is applying for the grant, the property owner must also sign an owner's affidavit to approve the proposed work. The business must also employ no more than 15 full time employees at time of the grant award.
- D) *Grant Review and Approval Procedures:*
1. Submit completed application form with all required documentation to the Growth Management Department. Applicants may choose to schedule a pre-application meeting with the Growth Management Department if they would like a determination regarding whether their proposed improvements would be eligible for the grant.
  2. Application will be reviewed by the Growth Management Department to assure that it is complete and consistent with all Land Development Regulations.
  3. After staff approval, the applicant can proceed with presenting the application to the Economic Development Advisory Committee for recommendation to the Town Commission.
  4. Applicant must complete the project and satisfy all inspection requirements. Changes to scope of the job after it has been approved without consent of the Economic Development Advisory Committee, and subsequently the Town Commission, shall result in forfeiture of the grant funds. Reimbursement shall occur after all work has been completed and the necessary inspections have been approved. The applicant will be reimbursed for costs based upon the actual expenses shown on the invoices

submitted to the Growth Management Department following completion of all improvements.

E) Eligible Façade Improvements: The Façade Improvement Program is limited to reimbursement for improvements made only to the exterior of commercial structures. Eligible improvements are those on the building elevations that front rights-of-way and are visible to the passers-by on the street. Signs and sign improvements are not eligible for this program. Routine maintenance such as painting, pressure washing, and minor repairs to existing materials alone will not be eligible for reimbursement, but may be an element of the scope of the project. Project components that may qualify for a Façade Grant include, but are not necessarily limited to:

1. Exterior improvement, restoration, including removal of decayed materials.
2. Repair, replacement, or installation of new:
  - a) exterior windows
  - b) exterior doors
  - c) awnings
  - d) exterior lighting
  - e) painting (only if entire façade is repainted)
  - f) roofing materials

F) Façade Design Guidelines: Façade Grant applications used in conjunction with an improvement that would cause more than fifty percent (50%) of the building area to be replaced; or if the existing building is being redeveloped and the cost of redevelopment is greater than fifty percent (50%) of the assessed value of the building, the applicant shall meet the Town's Commercial Design Standards.

G) Application Submittals: Required application submittals shall include:

1. Completed application form
2. Valid Business Tax Receipt for the Town of Lady Lake
3. Documentation that property taxes are current
4. Documentation of no outstanding liens or active Code Enforcement cases within the Town of Lady Lake.
5. Detailed budget including three (3) written estimates from licensed contractors to verify costs are within reasonable parameters. Invoice of project costs will have to be submitted.
6. Photo of current Façade (a photo of the completed façade showing all improvements will be required to close the project as well).
7. Scaled drawings clearly illustrating proposed improvements.

Figure A

# Downtown Redevelopment Area Boundary

