

# **TOWN COMMISSION MEETING AGENDA ITEM**

## **TOWN OF LADY LAKE, FLORIDA**

### **AGENDA ITEM TITLE**

Ordinance 2021-28 (First Reading) — An Ordinance of the Town of Lady Lake, Lake County, Florida; Providing for Repeal of the Second and Final Reading of Ordinance 2021-13 which Amended the Town of Lady Lake Comprehensive Plan by Incorporating a Property Rights Element

### **AGENDA ITEM ID**

2021269

### **DEPARTMENT**

Growth Management

### **STAFF RECOMMENDED MOTION**

Staff recommends approval of the first reading of Ordinance 2021-28.

### **SUMMARY**

On Monday, October 18, 2021, the Town Commission adopted Ordinance 2021-13 which amended the Town of Lady Lake Comprehensive Plan by incorporating a Property Rights Element as required under Florida House Bill 59 which was signed into law on June 29, 2021 by Governor Ron DeSantis, and became effective July 1, 2021. Following the second and final reading of the ordinance, the adopted amendment was transmitted to the Florida Department of Economic Opportunity (DEO) on Wednesday, November 3, 2021.

Upon receipt of the amendment package by DEO, Town staff was informed that the amendment would not be accepted by the department because it was transmitted as an adopted amendment, not a proposed amendment. The amendment should have followed the Expedited State Review Process which requires a proposed amendment to be transmitted to DEO for review and comment prior to the second and final reading of the ordinance. In error, Town staff processed the amendment as it would a Small-Scale Amendment which allows consecutive readings of an ordinance without review by the DEO.

With the adoption of Ordinance 2021-28, the second and final reading of 2021-13 would be repealed, and subsequently, Ordinance 2021-13 will be transmitted to DEO as a proposed amendment in accordance with the Expedited State Review Process. Following receipt of any comments from DEO and other state agencies (if applicable), Ordinance 2021-13 will be brought back to the Town Commission for second and final reading for consideration of final

adoption. Staff anticipates the second and final reading will occur in February of 2022. Following the second reading of 2021-13 before the Town Commission, the amendment will then be transmitted to DEO for consideration as an adopted amendment.

**FISCAL IMPACT**

Not applicable

**FUNDING SOURCE**

Not applicable.

**FUNDING ACCOUNT**

Not applicable

**PAST ACTIONS**

There have been no prior actions regarding Ordinance 2021-28.

TC/ns