

AGENDA



City of Tavares Planning & Zoning Advisory Board

August 19, 2021 -- 3:00 PM

**TAVARES CITY HALL COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Approval of Minutes**
 - 1. Approval of May 20, 2021 Planning & Zoning Board Meeting Minutes (Deputy City Clerk)
- IV. Swearing in by City Attorney and Disclosure of Exparte Contacts**
- V. Public Hearings**
 - 1. *Ordinance 2021-09 - Comprehensive Plan 2040 Amendment - Addition of Property Rights Element pursuant to HB 59.*
- VI. Other Business**
- VII. Audience to be heard**
- VIII. Adjournment**

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 742-6209.

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
MAY 20, 2021**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Dian Joy, Board Member
Bruce Peterman, Board Member
Brooke Matthews, Board Member
Deborah Murphy, Board Member
James Sweeza, Board Member
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Lindsey Holt, City Attorney - Absent
Mike Fitzgerald, Community Development Director
Jillian Roberts, Deputy City Clerk

CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. and asked those present to silence their cell phones. He led those present in the Pledge of Allegiance.

Mr. Fitzgerald introduced and welcomed Brooke Matthews to the Board.

Chairman Santoro added Election of Chair and Vice-Chair under Other Business.

MOTION

Gary Santoro moved to add election for Chair and Vice-Chair under Other Business, seconded by Bruce Peterman. The motion carried unanimously 7-0.

APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections for March 18, 2021 Planning and Zoning Board Meeting minutes. There was one correction made by Dara Treadwell to the spelling of Gary Koerner's name under Other Business on page 4.

There was a consensus from the Planning and Zoning Board to accept the minutes with the stated correction.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Ms. Roberts swore in those who were present. Mr. Fitzgerald noted exparte communications should be disclosed by the Board Members. There were none.

PUBLIC HEARING

1) Recommendation on Resolution 2021-08 – Cyprich Property – Vacate a Portion of an Easement Located at 1501 Texas Court

Mr. Fitzgerald provided the following staff report;

This is a request to vacate a portion of a platted easement lying across the property located at 1501 Texas Ct. Tavares, Florida 32778. During the recent sale of the property the title company issuing the title insurance advised the new owner of the property to petition to vacate a portion of the existing easement as it is no longer practical as a result of a lot line deviation that was completed in 1980, and the subsequent construction of a swimming pool in 1984 that encroaches on the easement. City staff has reviewed the vacate request and determined no conflicts in the vacation with regard to drainage, utilities, health, safety, or welfare of the Public. This vacate will remove the city's public interest in this land, thus allowing the applicant to eliminate any perceived exception to clear title of this property.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Resolution 2021-08 partial vacation of the easement located at 1501 Texas Ct., Lot 9 and part of Lot 10 in Vista Del Largo Subdivision as recorded in Plat Book 20, Pages 55-57.*
- 2. That the Planning & Zoning Board moves to recommend denial of Resolution 2021-08.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Resolution 2021-08 partial vacation of the easement located at 1501 Texas Ct., Lot 9 and part of Lot 10 in Vista Del Largo Subdivision as recorded in Plat Book 20, Pages 55-57.

Chairman Santoro asked for comments from the audience. There were none.

Chairman Santoro asked for comments from the Board.

Board Member Treadwell asked how the lot perimeter changed. Mr. Fitzgerald stated it was originally platted as a squared off lot which was changed through a recorded deed for property for access to a canal.

MOTION

James Sweeza moved to recommend approval of Resolution 2021-08, seconded by Dara Treadwell. The motion carried unanimously 7-0.

2) Recommendation on Ordinance 2021-04 – Pallazzo Holdings, LLC – Rezoning of Approximately 09.53 Acres Located East of SR-19, South of Lane Park Cutoff

Mr. Fitzgerald provided the following staff report;

The subject property consists of approximately 09.53 acres of vacant property located east of SR-19, south of Lane Park Cutoff. The property is currently zoned as a Planned Development (PD), and the applicant is proposing that the property be rezoned to Residential Multi-Family (RMF-2).

The proposed zoning of Residential Multi-Family (RMF-2) is compatible with the surrounding zoning, which is a mixture of residential, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of seventy (70) townhomes with shared parking. The proposed use and number of dwelling units is consistent with the existing Medium Density land use and the Comprehensive Plan. The proposed use is similar to what was approved by City Council under the existing Planned Development. The applicant desires to remove the age restriction that was required per Planned Development Ord. 07-42. The subject property is approximately 0.25 miles from Tavares Middle School and is walkable for students as there is an existing sidewalk on the south side of Lane Park Cutoff. The property owner is required to obtain school capacity reservation prior to development approval.

The environmental assessment submitted by Ray and Associates indicates no adverse conditions or environmental concerns with the property. Prior to any development the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The preliminary traffic analysis submitted by Traffic & Mobility Consultants does not indicate an adverse impact to the level of service for surrounding roadways.

Any development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property compliance with all applicable regulations will be required.

The underlying Future Land Use designation of Medium Density (MED) does not change and is compatible with the requested Residential Multi-Family (RMF-2) zoning district.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-04 rezoning approximately 09.53 acres of property located east of SR-19, south of Lane Park Cutoff from Planned Development (PD) to Residential Multi-Family (RMF-2).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-04.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-04 rezoning approximately 09.53 acres of property located east of SR-19, south of Lane Park Cutoff from Planned Development (PD) to Residential Multi-Family (RMF-2).

Chairman Santoro asked for public comment.

Rick Hartenstein, Planning and Project Manager, Wicks Engineering, Applicant Representative said he is available for questions.

Chairman Santoro asked for comments from the Board.

Board Member Treadwell asked why the decision being made to change the property zoning from Planned Development to Residential Multi-Family. Mr. Hartenstein noted the property is under new ownership. The new owner wishes to move forward with the condo plat.

Board Member Murphy noted her concern for mixed uses in a neighborhood with a mixture of industrial, multi-family, single family and schools. Mr. Fitzgerald confirmed the properties between C.R 561 and S.R 19 is a mixture of different zonings.

Board Member Sweeza noted his concern regarding the volume of traffic on Lane Park Cutoff. Mr. Fitzgerald stated the traffic study that was completed reflected a de minimis impact to the surrounding roadways, and noted the property was previously approved under the Planned Development for 70 dwelling units.

Chairman Santoro stated his concerns regarding the volume and impact of traffic at The Big House and Public Safety Institute.

MOTION

James Sweeza moved to recommend approval of Ordinance 2021-04, seconded by Dara Treadwell. The motion carried unanimously 7-0.

3) Recommendation on Ordinance 2021-05 – Pope Property – Annexation and Rezoning of Approximately 0.10 Acres of Property Located at 12934 Lake Dora Circle

Mr. Fitzgerald provided the following staff report;

The subject property is located at 12934 Lake Dora Circle and is approximately 0.10 acres in size. The land is presently zoned as County Mixed Home Residential (RM), and the

applicant is proposing that the property be annexed and rezoned to Residential Manufactured Home Subdivision (RMH-S). The property is contiguous to the City boundary.

This property is in close proximity to a mixture of mobile home and single family uses. The proposed zoning of Residential Manufactured Home Subdivision (RMH-S) is compatible with surrounding property. The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact to the City. The City of Tavares has municipal water and waste water utility service available to the subject parcel.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban Low Density to City of Tavares Mobile Home (MH) on the Future Land Use Map 2040.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-05 annexation and rezoning to Residential Manufactured Home Subdivision (RMH- S), of approximately 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-05.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-05 annexation and rezoning to Residential Manufactured Home Subdivision (RMH-S), of approximately 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.

Chairman Santoro asked for public comment.

Todd Pope, 12934 Lake Dora Circle, Tavares, said owns property adjacent to the subject property. He stated the plan is to join the two parcels into one parcel.

Chairman Santoro asked if this property was going to be one continuous property. Mr. Pope confirmed.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweeza moved to recommend approval of Ordinance 2021-05, seconded by Dian Joy. The motion carried unanimously 7-0.

4) Recommendation on Ordinance 2021-06 – Pope Property – Small Scale FLUM Amendment of Approximately 0.10 Acres Located at 12934 Lake Dora Circle

Mr. Fitzgerald provided the following staff report;

The subject property is located at 12934 Lake Dora Circle, and is approximately 0.10 acres in size. The land presently has a land use designation of County Urban Low Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban Low to City of Tavares Mobile Home (MH).

Ordinance 2021-06 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from County Urban Low to City Mobile Home (MH).

The subject property is adjacent to a mixture of mobile home and single-family residential uses. An application to annex and rezone this property to a Residential Manufactured Home Subdivision (RMHS) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban Low. A City Mobile Home (MH) designation is most compatible with surrounding property and the existing County Future Land Use.

Compatibility

Lands surrounding this property are residential in nature.

Site Conditions

The property currently contains a mobile home.

Impact on City Services

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available to the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. A Mobile Home (MH) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-06 Future Land Use Map amendment from County Urban Low to City Mobile Home (MH) for 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.
2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-06.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-06 Future Land Use Map amendment from County Urban Low to City Mobile Home (MH) for 0.10 acres of property located at 12934 Lake Dora Circle, Tavares, FL.

Chairman Santoro asked for public comment. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweeza moved to recommend approval of Ordinance 2021-06, seconded by Dara Treadwell. The motion carried unanimously 7-0.

5) Recommendation on Ordinance 2021-07 – Hammock Citrus Corporation – Rezoning of Approximately 16.84 Acres Located East of SR-19 and 600 Feet North of Lane Park Cutoff

Mr. Fitzgerald provided the following staff report;

The subject property consists of approximately 16.84 acres of vacant property located east of SR-19 and approximately 600 feet north of Lane Park Cutoff. The property is currently zoned as Highway Commercial (C-2), and the applicant is proposing that the property be rezoned to Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning, which is a mixture of industrial, commercial, and Public Facilities zoning. The applicant at this time envisions the construction of multiple buildings to be utilized as industrial flex space accommodating future industrial uses as well as an area reserved for boat and recreational vehicle storage. The proposed industrial uses will not abut State Road 19 or County Road 561. Approximately six (6) acres of property abutting State Road 19 are not included in the rezoning application and shall remain Highway Commercial (C-2) zoning.

The environmental assessment submitted by LPG Urban & Regional Planners, Inc. indicates no adverse conditions or environmental concerns with the property. Prior to any development the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The preliminary traffic analysis submitted by Traffic & Mobility Consultants does not indicate an adverse impact to the level of service for surrounding roadways.

Any development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Commercial (COM) to Industrial (IND) on the Future Land Use Map 2040.

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-07 rezoning approximately 16.84 acres of property located east of SR-19 and approximately 600 feet north of Lane Park Cutoff from Highway Commercial (C-2) to Industrial (I).*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-07.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-07 rezoning approximately 16.84 acres of property located east of SR-19 and approximately 600 feet north of Lane Park Cutoff from Highway Commercial (C-2) to Industrial (I).

Chairman Santoro asked for public comment.

Michael Rankin LPG Urban Land Planning Group, 1162 Camp Road, Mount Dora, stated he was available for questions.

Chairman Santoro asked for comments from the Board

Board Member Peterman inquired about access points for the property and noted his concern of the volume of traffic with children walking to school from the current and proposed residential properties. Mr. Fitzgerald stated there will be 2 access points on Lane Park Cutoff to ensure first responder response time given the size of the property. The access points are located on S.R. 19 and Lane Park Cutoff Road.

Board Member Treadwell asked where the entrance will be located on S.R 19. Mr. Fitzgerald stated the entrance will be located between commercial buildings. The entrance on Lane Park Cutoff will be a full access entrance.

Board Member Matthews inquired about the number of buildings. Mr. Fitzgerald stated there will be a total 12 industrial flex buildings, 2 commercial buildings, a storm pond and R.V/boat storage.

Board Member Treadwell noted her concern regarding the volume of traffic on S.R 19.

Board Member Sweeza noted his concern of traffic flow.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

James Sweezea moved to recommend approval of Ordinance 2021-07, seconded by Dara Treadwell. The motion carried unanimously 7-0.

6) Recommendation on Ordinance 2021-08 – Hammock Citrus Corporation – Large Scale FLUM Amendment of Approximately 16.84 Acres Located East of SR-19 and 600 Feet North of Lane Park Cutoff

Mr. Fitzgerald provided the following staff report;

Ordinance 2021-08 proposes a large-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Number 3925309) is 16.84 acres in size, located at east of State Road 19, approximately 600 feet north of Lane Park Cutoff. This ordinance would amend the current Future Land Use Designation from Commercial (COM) to Industrial (IND).

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated City Commercial (COM). A City Industrial (IND) designation is compatible with surrounding property.

Compatibility

Lands surrounding this property are industrial and commercial in nature.

Site Conditions

The property is currently vacant. Prior to any development, an approved site plan will be required. All applicable surveying, environmental assessments, and permitting must be in place before the site plan is approved. Any proposed development project will be required to connect to city water and wastewater utilities.

Impact on City Services

The subject property is located in the City's Utility Service Area. The City of Tavares has municipal water and sewer services available to the subject parcel and any new development on this property must connect to city utilities. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

- 1. An Industrial Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

OPTIONS:

- 1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-08 Future Land Use Map amendment from Commercial (COM) to Industrial (IND) for 16.84 acres of property located east of State Road 19, approximately 600 feet north of Lane Park Cutoff.*
- 2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-08.*

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2021-08 Future Land Use Map amendment from Commercial (COM) to Industrial (IND) for 16.84 acres of property located east of State Road 19, approximately 600 feet north of Lane Park Cutoff.

Chairman Santoro asked for public comment. There were none.

Chairman Santoro asked for comments from the Board. There were none.

MOTION

Dian Joy moved to recommend approval of Ordinance 2021-08, seconded by James Sweezea. The motion carried unanimously 7-0.

OTHER BUSINESS

Chairman Santoro opened the floor for nominations for Chairman.

James Sweezea nominated Gary Santoro for the position of Chairman. There were no other nominations.

MOTION

James Sweezea moved to nominate Gary Santoro as Chairman, seconded by Bruce Peterman. The motion carried unanimously 7-0.

Chairman Santoro opened the floor for nominations for Vice-Chair.

Chairman Santoro nominated Deborah Murphy for the position of Vice-Chair. There were no other nominations.

May 20, 2021
Planning & Zoning Board Meeting

MOTION

Chairman Santoro moved to nominate Deborah Murphy as Vice-Chair, seconded by Dara Treadwell. The motion carried unanimously 7-0.

PUBLIC COMMENT

None.

ADJOURNMENT

Dara Treadwell moved to adjourn the meeting at 3:38 PM, seconded by James Sweezea. The motion carried unanimously 7-0.

Respectfully submitted,

Jillian Roberts,
Deputy City Clerk

AGENDA SUMMARY
TAVARES PLANNING & ZONING ADVISORY BOARD
8/19/2021

AGENDA TAB NO.: 1.

SUBJECT TITLE: *Ordinance 2021-09 - Comprehensive Plan 2040 Amendment - Addition of Property Rights Element pursuant to HB 59.*

OBJECTIVE:

To consider an amendment to the City of Tavares Comprehensive Plan 2040 providing for the addition of a Property Rights Element pursuant to HB 59.

SUMMARY:

On November 18, 2020, the City of Tavares adopted Comprehensive Plan 2040 in accordance with Florida Statutes - Chapter 163, and the State of Florida Local Government Comprehensive Planning and Land Development Regulation Act. Subsequently to that adoption, the 2021 Florida Legislature enacted House Bill 59 requiring each local government to include in its Comprehensive Plan a Property Rights Element to ensure that private property rights are considered in local decision making. Ordinance 2021-09 proposes amending the City of Tavares Comprehensive Plan providing for the addition of a Property Rights Element as mandated by the State of Florida.

OPTIONS:

1. That the Planning & Zoning Board moves to recommend approval of Ordinance 2021-09, an amendment to the City of Tavares Comprehensive Plan 2040 providing for the addition of a Property Rights Element pursuant to HB 59.

2. That the Planning & Zoning Board moves to recommend denial of Ordinance 2021-09.

STAFF RECOMMENDATION:

Staff recommends that the Planning & Zoning Board move to recommend approval of Ordinance 2021-09, an amendment to the City of Tavares Comprehensive Plan 2040 providing for the addition of a Property Rights Element pursuant to HB 59.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2021-09
2. Revised Comprehensive Plan Table of Contents

3. Property Rights Element
4. Newspaper Ad

ORDINANCE 2021-09

PURSUANT TO HOUSE BILL 59 OF THE FLORIDA LEGISLATURE, AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN 2040, BY PROVIDING FOR THE ADDITION OF A PROPERTY RIGHTS ELEMENT; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 18, 2020 the City of Tavares adopted a Comprehensive Plan in accordance with Florida Statutes – Chapter 163, and the State of Florida Local Government Comprehensive Planning and Land Development Regulation Act by adoption of Ordinance 2020-10; and

WHEREAS, the 2021 Florida Legislature enacted House Bill 59 requiring each local government to include in its Comprehensive Plan a Property Rights Element to ensure that private property rights are considered in local decision making; and

WHEREAS, City of Tavares proposes to amend the city Comprehensive Plan by the addition of the Property Rights Element and adopting policies within the plan that ensure that private property rights are protected and considered in the City's decision-making processes; and

WHEREAS, the City of Tavares Planning & Zoning Board, Local Planning Agency and City Council held duly noticed public hearings, providing opportunity for individuals to hear and be heard regarding the adoption of the proposed amendment; and

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and,

WHEREAS, the City Council finds this amendment in compliance with Chapter 163 and Chapter 187, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida as follows:

Section 1. Comprehensive Plan Amendment: Property Rights Element:

The Comprehensive Plan is hereby amended with the addition of the Property Rights Element attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the State of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED _____ of _____ 2021, by the City Council
of the City of Tavares, Florida.

Amanda Boggus, Mayor
Tavares City Council

Approved for Transmittal: _____

Final Reading and Adoption: _____

ATTEST:

Susie Novack, City Clerk

Approved as to form:

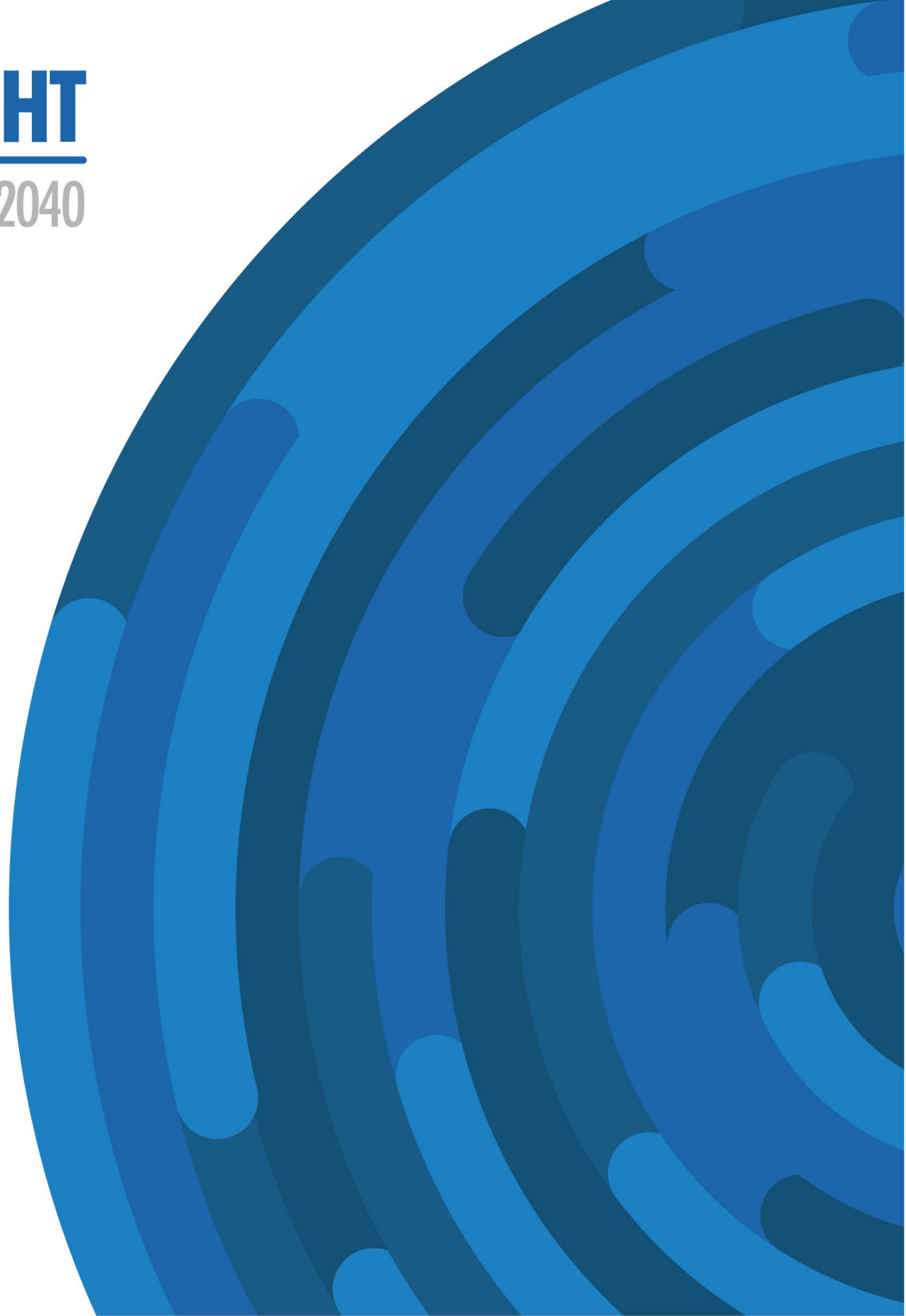
Robert Q. Williams, City Attorney

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TAKING FLIGHT

COMPREHENSIVE PLAN 2040



Property Rights

Goals, Objectives, and Policies



GOAL

Protection of private property rights.

Objective 9-1

Consistent with HB 59 (2021), ensure that private property rights are protected and considered in the City's decision-making processes.

Policy 9-1.1 The City shall protect and preserve private property rights as follows:

1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or the use of any other person, subject to state and local ordinances.
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.
4. The right of a property owner to dispose of his or her property through sale or gift.