



City of Mount Dora
510 North Baker Street
Mount Dora, Florida 32757
352-735-7113
Fax: 352-735-7191

Building Height Advisory Committee
City Hall Board Room
Thursday, March 3, 2022 - 1:30 PM

AGENDA

- I. Call to Order
- II. Roll Call
- III. Public Comments
- IV. Approval of Minutes
 - A. Request Approval of Meeting Minutes
 - February 3, 2022, Building Height Advisory Committee Minutes
- V. Discussion Items - Old Business
 - A. Update from Committee Member John Tucker on progress with scheduling a speaker to present to the committee (optional, if speaker is available)
 - B. Update from Committee Member Kate Ondrasik
- VI. Discussion Items - New Business
 - A. Land Development Code Amendment for Building Height (Proposal) from Committee Member Thomas Pauls
 - B. Discussion on providing a recommendation on the removal of a fifty-five foot parking garage language in Ordinance No. 2020-20
 - C. Charter Amendment Ordinance
 - D. Alternative to a Charter Amendment
- VII. Announcement of next scheduled meeting
 - A. Scheduled Meeting Date/Time: March 17, 2022 at 1:30 pm
- VIII. Adjournment

NOTICE: For purposes of Section 286.011, Florida Statutes, two or more members of the City Council may be present at this meeting, and this meeting may be considered a City Council meeting.

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, such person may need a record of these proceedings. For such purpose, a person 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.

NOTICE: In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the Planning and Development Department no later than seven (7) days prior to the proceedings. Telephone (352) 735-7112 for assistance, if hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.

CITY OF MOUNT DORA, FLORIDA
MINUTES



FEBRUARY 3, 2022
BUILDING HEIGHT
ADVISORY COMMITTEE

Call to Order

Having been duly advertised as required by law, Vice-Chairperson Joseph Lewis called the Building Height Advisory Committee to order at 1:32 P.M. at the Community Building.

Roll Call

MEMBERS PRESENT

Joseph Lewis, Vice-Chairperson
John Tucker
Thomas Pauls
Andrea Lothar
Greg Beliveau (Arrived at 1:46)
Tom Dring
Frank Kirwin
Kate Ondrasik
Harris Turner
Nick Girone

ALSO PRESENT

Vince Sandersfeld, Planning Director
Sherry G. Sutphen, City Attorney
Jessica Burnham, City Clerk

MEMBERS ABSENT

Lynn Tipton, Chairperson

Public Comments

Vice-Chairperson Lewis opened public comment.

Jamie Allen, 1303 East 5th Avenue, spoke about the building height petition and how it was developed.

Vice-Chairperson Lewis closed public comment.

Approval of Minutes

- A. Request Approval of Meeting Minutes
- January 20, 2022, Building Height Advisory Committee Minutes

COMMITTEE MEMBER TUCKER MOTION TO APPROVE THE MINUTES.

Committee Member Ondrasik asked the minutes to be amended to reflect under Tab 4 - Kate Ondrasik, Building Heights in Downtown Historic Districts to state "increasing building heights to allow three-story buildings up to the height of forty or forty-two feet."

COMMITTEE MEMBER TUCKER AMENDED HIS MOTION TO INCLUDE THE CORRECTION STATED; COMMITTEE MEMBER ONDRASIK SECONDED THE MOTION. MOTION WAS APPROVED BY A UNANIMOUS VOICE VOTE.

Discussion Items - Old Business

A. Informational - Study Area Map

Vice-Chairperson Lewis introduced the discussion items under old business.

B. City Attorney Optional Ordinance Legal Review

Sherry Sutphen, City Attorney, spoke on item B and provided the committee with an overview of her findings and mentioned that an initiative or referendum process can not occur in a development order. However, amending by ordinance the current regulation to state that any change to this regulation would need to be adopted through the ordinance process, which is two public hearings.

Discussion ensued on the city attorney's findings, differences between variances, language that could be placed in the ordinance, increasing the height versus and decreasing the height, the petition being placed on the ballot, and the architectural design of the buildings.

C. Thomas Pauls summary on variances

Committee Member Thomas Pauls spoke on item C

Discussion ensued on variances, the historic presentation board.

Discussion Items - New Business

A. Building Heights on Alternatives Codes and Options

Discussion took place about the current height limitation of thirty-five feet.

B. Harris Turner Proposed Building Height LDC Draft Revisions

Committee Member Turner suggested having three items on the next upcoming agenda. Discussion on the possibility of recommending a change to the current building height, Charter Amendment, and Alternative to a Charter Amendment.

Committee Member Turner provided the committee with his suggestions on changes to the Land Development Code.

C. Frank Kriwin Proposed (working document) Charter Amendment

Discussion ensued on variances.

Committee Member Kriwin provided the committee with an overview of his findings and his suggestions.

VIII. Announcement of next scheduled meeting

A. Scheduled Meeting Date/time: Thursday, February 17, 2022 at 1:30 pm

Adjournment

There being no further business for discussion, the meeting adjourned at approximately 3:46 p.m.

JOSEPH LEWIS
Vice-Chairperson

JESSICA BURNHAM
City Clerk

LAND DEVELOPMENT CODE
WORKING DRAFT BUILDING HEIGHT
Date: 2-24-2022

Note: Underlined words constitute additions to existing text, ~~strikethrough~~ constitutes deletions from existing text and asterisks (***) indicate omitted parts which are intended to remain unchanged.

Section 2.5. - Planning and zoning commission.

Section 2.5.1 Powers and Duties

6. *Variances.* For lands located inside the boundary of the ‘Building Height Impact District’, as defined by sub-section 3.5.6.2 , applicants shall adhere the to special variance provisions and public hearing procedures. All other variance types, shall meet the provisions of Section 2.5.

The planning and zoning commission shall hear and decide requests for variances from the terms of the zoning regulations where, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship upon, and personal to, the applicant therefor, and not surrounding properties. In order to authorize a variance, the commission must find:

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; such on-site conditions may include, but are not limited to, topography, preservation of vegetation, access, vehicular and pedestrian safety and preservation of scenic views;
- b. That the special conditions and circumstances do not result from the actions of the applicant;
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied ~~by the chapter~~ to other lands, buildings or structures in the same zoning district;
- d. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would result in work-[incur] unnecessary and undue hardship on the applicant;
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- f. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- g. The granting of the variance will not be detrimental to the property or improvements in the area in which the property is located.

In granting any variance within their authority, the commission may prescribe appropriate conditions and safeguards, the violation of which shall be deemed a violation of this code. The commission may also prescribe a reasonable time limit within which the action for which the variance was requested shall be begun, completed or both.

Under no circumstances shall the commission grant a variance which permits a use not generally, or by conditional use, permitted in the zoning district involved, or any use expressly or by implication prohibited, by the terms of this code in the zoning district involved. Nonconforming uses of neighboring lands, structures or buildings in the same zoning classifications or district, and permitted uses of lands, structures or buildings in other zoning classifications or districts shall not be considered grounds for the authorization of a variance.

3.4. - Establishment of zoning districts.

3.4.5. PUD Planned Unit Development District:

4. *Site development standards.* Unless modified as provided for herein, the standards of conventional zoning districts and the design standards of this code shall apply. Revised standards may be approved for a PUD project to encourage creative development when the development proposal demonstrates increased protection of natural resources, improved living environment or increased efficiency of service delivery.

g. Special restrictions for proposed PUD's located within the Building Height Impact District: Lands within the Building Height Impact District, as defined in sub-section 3.5.6.2, are subject to the building heights limitation of the district. No PUD can exceed the heights restrictions of sub-section 3.5.6.2 of this code. Building and structure height maximum shall be 35 feet and within 100 feet of Lake Dora, shall be at a maximum of 25 feet within the Building Height Impact District.

3.4.7 C-2 Downtown Commercial District.

5. Site development standards:

a. Minimum building setbacks: At a minimum, buildings shall be set back from property lines consistent with existing adjacent or nearby buildings so as to provide a uniform frontage and spacing without blocking reasonable visibility of existing buildings.

b. Maximum building heights: 35 feet ~~and~~

~~i. Within within~~ 100 feet of Lake Dora: 25 feet.

~~ii. Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora.~~

3.4.7-A C-2-A Peripheral Commercial District.

5. Site development standards:

b. Building height maximum: 35 feet and 25 feet within 100 feet of Lake Dora.

~~i. Within 100 feet of Lake Dora shall be at a maximum of 25 feet.~~

~~ii. Parking garage maximum height: 55 feet and 25 feet within 100 feet of Lake Dora.~~

3.4.13. PLI Public Lands and Institutions District.

5. Site development standards:

b. Maximum building height: 35 feet and

~~Parking garage maximum height: 55 feet and~~ 25 feet within 100 feet of Lake Dora.

3.4.16. MU-1 Mixed Use Traditional and MU-2 Mixed Use Downtown Districts:

7. *Site development standards:* The following requirements shall be observed in all mixed-use developments, except where the requirement is more specifically attributed to horizontal mixed use, or vertical mixed use, as the case may be.

a. *Minimum site area designated.* There are no minimum site area requirements.

b. *Minimum height.* Within storefront areas (i.e., vertical mixed use), buildings shall be a minimum of two stories in height, but cannot exceed the height requirements listed below by district.

c. *Maximum height* shall be restricted by district as follows:

(1) *MU-1:* The height for a vertical mixed use building shall not exceed five stories in height, or 60 feet, whichever is greater. No parking structure shall exceed a height of 50 feet. Multiple story buildings are allowed, so long as redevelopment or new development provided proper setbacks from established residential neighborhood.

(2) *MU-2:* Building height is limited to 35 feet and cannot exceed 25 feet in height for building that are located within 100 feet of Lake Dora or in any other location in the MU-2 district where surrounding scenic views of Lake Dora cannot be maintained. ~~Parking garage maximum height 55 feet.~~

3.5. - Supplemental regulations.

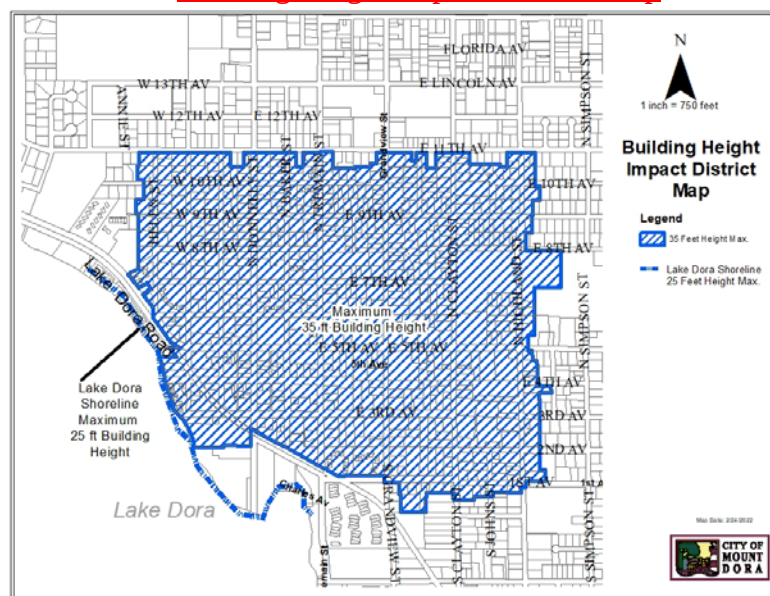
3.5.6. Height

1. Building and structure heights for lands located outside the Building Height Impact District may not exceed 35 feet for all zoning districts, except 60 feet within the MU-1 district, 65 feet within the C-3 district, and 100 feet within the WBI-E and WBI-G districts; ~~and maximum 55 height for parking garages within the C-2, C2A, and PLI and MU-2 zoning districts.~~ Chimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and their necessary mechanical appurtenances may exceed 35 feet, subject to the restrictions herein, and any height limitations placed on such structures by the Federal Aviation Administration. No building, parking garage, or other structure shall exceed 25 feet if such building or structure is to be located within 100 feet of Lake Dora, or in any other location where surrounding scenic views of Lake Dora would be destroyed. Flagpoles may not exceed 45 feet in height in all zoning districts.

2. Building Height Impact District

- a. The purpose and intent of this section is to help safeguard the cultural heritage, architectural uniqueness and general historic character of the City of Mount Dora, among other objectives. It accomplishes these purposes by establishing regulatory provisions that regulate unacceptable building and structural heights within the special area designated as the 'Building Height Impact District' within the map depiction geographically shown below. Further, the purpose of this sub-section is to promote the preservation and appreciation of properties within this district, to contribute to the overall economic health of the downtown area, to reduce adverse environmental impacts, to help ensure that future development and improvements remain consistent with the prevailing architectural character of the designated area and to help protect stable neighborhoods located within and in the vicinity of the Building Height Impact District.

Building Height Impact District Map



b. Height regulations affecting areas and lands within the Building Height Impact District. The allowable height of buildings and structures located within the Building Height Impact District shall not exceed 35 feet, provided all of the requirements cited in sub-section 3.5.6(2.c) below are met with substantial competent evidence. The 35 feet height limitation applies to all buildings and structures including but not limited to chimneys, water, fire, telecommunication, radio and television towers, church spires, cooling towers, elevator bulkheads, smokestacks, and similar structures, and any related necessary mechanical appurtenances. No building or other structure shall exceed 25 feet if such building or structure is to be located within 100 feet of the Lake Dora, or in any other location that would visually block 75% or more of surrounding panoramic view of Lake Dora. Further, all building and structures shall adhere to applicable regulatory provisions as required by the Federal Aviation Administration. Flagpoles may not exceed 45 feet in height.

c. Variances Building Height Requirements within the 'Building Height Impact District'. The Planning and Zoning Commission shall provide and forward a recommendation to the City Council for final action.

Following deliberation and public hearings of the proposed height variance request, the Planning and Zoning Commission and City Council shall find that the applicant has provided demonstrable evidence that they have met each of the requirements cited below and the failure to meet any one of these items shall result in the Planning and Zoning Commission recommending denial and the City Council shall disapprove the variance application. Variance for such request shall provide an application and related fees of this code. City Council's action for approval shall be by a supermajority vote (meaning at least one more vote over the minimum majority vote). These requirements and variance criteria are as follows:

- i. No building or structure shall exceed 40 feet in height;
- ii. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings within otherwise similarly situated properties;
- iii. That the special conditions and circumstances have not resulted from and do not result from the actions of the applicant;
- iv. That granting the variance requested will not confer on the applicant any special privilege that is denied to other lands, buildings or structures in the same zoning district;
- v. That literal interpretation of the provisions would deprive the applicant of rights commonly enjoyed by other similarly situated properties under the terms of the chapter and would effect an unnecessary and undue hardship on the applicant to the extent that the absence of the requested variance would essentially constitute a taking of the property;
- vi. That the variance, if granted, would result in the minimum necessary impact in order to make possible the reasonable use of the land, building or structure;

- vii. That the grant of the variance will be in harmony with the general intent and purpose of this code and the comprehensive plan, will not in any way be detrimental to the subject property, the surrounding neighborhood or the public health, safety or welfare. The Planning and Zoning Commission may recommend and City Council may prescribe appropriate conditions to further protect the public, health, safety and welfare;
- viii. Shall provide enhanced architectural standards, elements, features and other design standards; and
- ix. Additional building floors, improvements, or vertical expansions to existing structures are not allowed.

d. The following public hearing requirements for building or structural height variance applications within the 'Building Height Impact District' shall be as follows:

- i. The Planning and Zoning Commission shall hold at least one public hearing with proper public notice of this sub-section and shall provide their recommendation for either approval, approval with conditions, or denial to the City Council for consideration and final action.
- ii. Following receipt of the planning and zoning commission recommendation, the city council shall hold a public hearing with proper public notice before taking final action on the variance application under review.
- iii. In the city council public hearing where final action is taken, any approval or approval with condition shall achieved with at least a supermajority vote (at least one more vote beyond a simple majority) of voting members of council present during these proceedings.

e. Public Notice for Publication and Posting Requirements:

- i. The City shall be required publish notice of a public hearing noticed on a variance application to be prepared and published in a newspaper having general circulation in the City within 10 days of scheduled Planning and Zoning Commission or City Council public hearings. Notice shall be published in the non-legal (i.e display advertisement) section of the newspaper. Ad size shall be minimum two columns wide.
- ii. Owners of real property within 300 feet of the land subject to an application shall be mailed via United States Postal Service a notice of the variance request; and the owner names and addresses used to mail required notice to owners of neighboring property shall be those shown on the current ad valorem tax rolls of Lake County.
- iii. Public Notice Requirements (Posted Sign or Signs): The City shall be required to post notice of a minimum size 8-1/2 inches by 17 inches

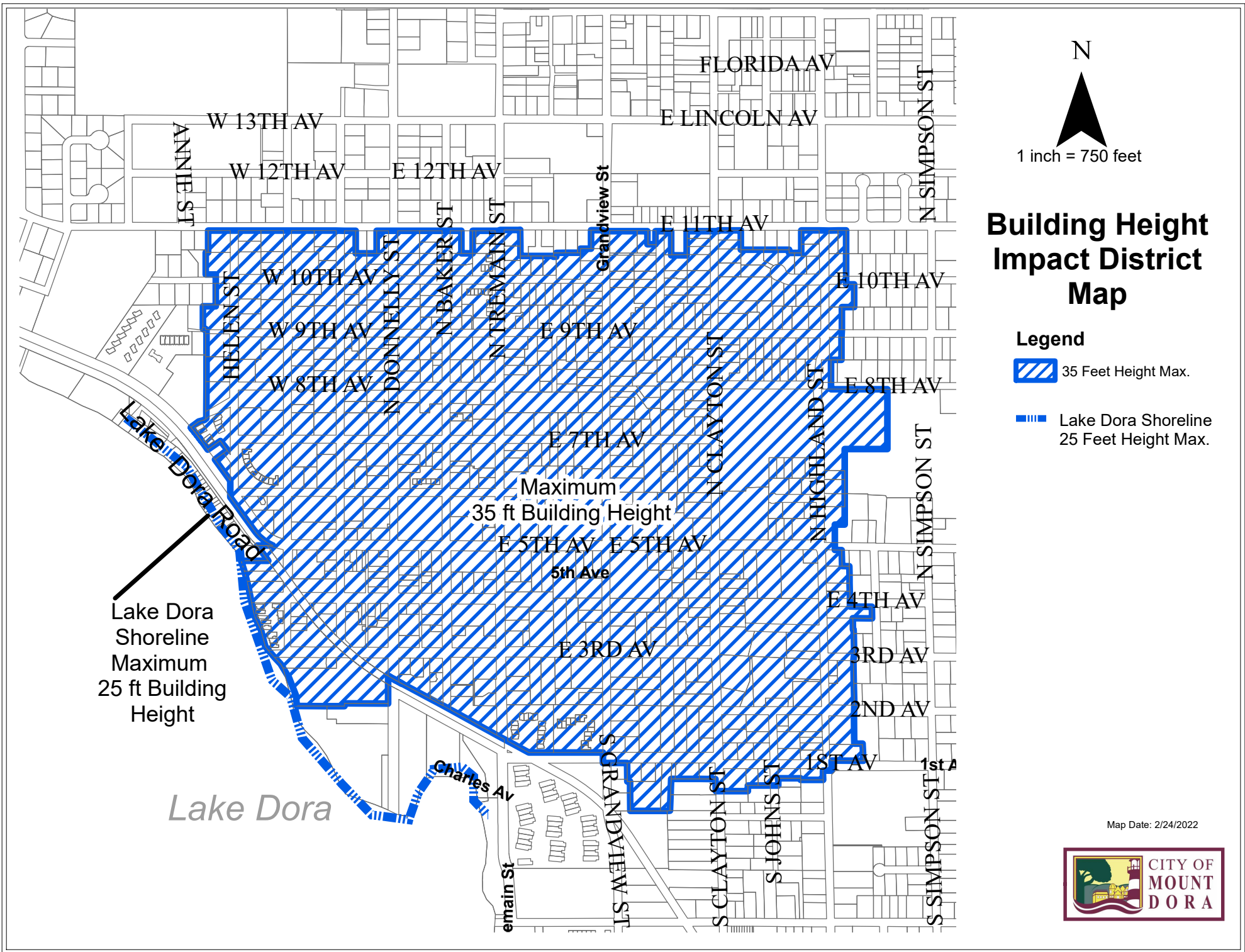
poster size on the land subject to the application for variance, at a location adjacent to each abutting street that is clearly visible to traffic along the street. If no part of the subject land abuts a street, then the notice shall be posted in the right-of-way of the nearest street, and in a manner consistent with the intent of the provisions of this code.

- iv. Posted notice shall be in a manner established by the Planning Director.
- v. The content of required public notice shall, at a minimum the following: Identify the application; describe the nature and scope of the proposed variance request or action; and identify the date, time, and location of the public hearing(s) being noticed.

CHAPTER VIII. - DEFINITIONS

The following definitions shall apply throughout this code. Words not specifically defined or otherwise explained within this code shall be as defined in a standard dictionary or as understood by the development review coordinator. Definitions specifically related to signage shall be found within Chapter VI, Design Standards, Section 6.7, Signs.

Variance: As ~~it relates to the Land Development Code used in connection with the provisions of this act dealing with zoning,~~ a variance is a relaxation ~~of the terms~~ of ~~the~~ zoning ordinance ~~dimensional requirements and~~ where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used ~~herein in this act,~~ a variance is authorized only for ~~height,~~ area, dimensions, and size of buildings, structures or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or classification or adjoining zoning districts or classifications. The provisions of the zoning regulations carry with them the presumption of correctness and variances shall not be the instrument used to dilute this fundamental tenant of land use regulation.



ORDINANCE NO: 2022-XX

**AN ORDINANCE OF THE CITY OF MOUNT DORA,
FLORIDA, PERTAINING TO REVISIONS TO THE CITY OF
MOUNT DORA LAND DEVELOPMENT CODE;
PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT;
PROVIDING FOR AMENDMENTS TO CITY OF MOUNT
DORA LAND DEVELOPMENT CODE, CHAPTER
_____;
PROVIDING FOR THE
IMPLEMENTATION OF ADMINISTRATIVE ACTIONS;
PROVIDING FOR CODIFICATION AND SCRIVENER'S
ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING
FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Florida Statutes, Chapter 166, confers upon a local government, the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, pursuant to its home rule powers, the City of Mount Dora may regulate land use matters and design standards within the City limits through the adoption of Land Development regulations; and

WHEREAS, from time to time the City of Mount Dora provides updates and amendments to its Land Development regulations; and

WHEREAS, on September 21 2021, the City adopted Resolution No. 2021-115, which created the Building Height Advisory Committee; and

WHEREAS, on _____, following absolute dedication and clear focus to the task at hand, the City of Mount Dora Building Height Advisory Committee approved the subject building height regulations; and

WHEREAS, the City of Mount Dora has determined that it is appropriate to update and revise its Land Development Code to include the subject building height regulations; and

WHEREAS, the City of Mount Dora has also determined that the amendments to its Land Development Code, as set forth herein, advance a legitimate public purpose and promote and protect the health, safety and welfare of the citizens of the City of Mount Dora.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF MOUNT DORA,
FLORIDA, AS FOLLOWS:**

SECTION 1. **LEGISLATIVE FINDINGS AND INTENT.** The City of Mount Dora has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. AMENDMENTS TO CITY OF MOUNT DORA LAND DEVELOPMENT CODE, CHAPTER _____. The City of Mount Dora Land Development Code, is hereby revised and amended as follows:

Note: Underlined words constitute additions to existing text, ~~strike through~~ constitutes deletions from existing text and asterisks (***) indicate omitted parts which are intended to remain unchanged.

SECTION 3. IMPLEMENTATION OF ADMINISTRATIVE ACTIONS.
The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

SECTION 4. CODIFICATION AND SCRIVENER'S ERRORS.
A. The revisions to City of Mount Dora Land Development Code, as set forth in Section ____, shall be codified in the City of Mount Dora Code of Ordinances.

B. The sections, divisions and provisions of this Ordinance may be renumbered or re-lettered as deemed appropriate by the codifier of the City of Mount Dora Land Development.

C. Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. SAVINGS CLAUSE. All prior actions of the City pertaining to the amendments to the City of Mount Dora Land Development Code as set forth herein, as well as any and all other applicable matters, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 6. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. EFFECTIVE DATE. This Ordinance shall become effective immediately upon enactment by the City of Mount Dora.

PASSED AND ADOPTED this ____ day of ____, 2022.

FIRST READING: _____

SECOND READING: _____

CRISSY STILE
MAYOR of the City of Mount Dora, Florida

ATTEST:

Jessica Burnham
City Clerk

For the use and reliance of City of Mount Dora only.
Approved as to form and legality.

Sherry G. Sutphen
City Attorney

ORDINANCE NO. 2022-XX

**EXAMPLE
CHARTER ORDINANCE.
THIS IS ONLY THE
ORDINANCE FORMAT.
NO TEXT CHANGES ARE
INLCUDED IN THIS EXAMPLE**

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA PERTAINING TO A CHARTER AMENDMENT FOR THE 2022 BALLOT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE IMPLEMENTATION OF ADMISTRATIVE ACTIONS; PROVIDING PROPOSED CHARTER AMENDMENT WITH TITLE AND BALLOT QUESTION; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE AND CODIFICATION.

WHEREAS, Florida Statutes, Section 166.031, provides that the governing body of a municipality may, by ordinance, submit to the electors of said municipality, proposed amendments to its charter; and

WHEREAS, pursuant to the City of Mount Dora Charter, the City Council shall cause the Charter to be reviewed, no less than once every five years; however, may cause amendment to the same at any time deemed appropriate; and

WHEREAS, on September 21 2021, the City adopted Resolution No. 2021-115, which created the Building Height Advisory Committee; and

WHEREAS, on _____, following absolute dedication and clear focus to the task at hand, the City of Mount Dora Building Height Advisory Committee approved the subject building height regulations; and

WHEREAS, the City of Mount Dora has determined that it is appropriate to update and revise the City's Charter to include the subject building height regulations; and

WHEREAS, the City of Mount Dora has determined that it is in the best interest of its citizens to submit the Charter amendment proposed herein to the registered voters of Mount Dora at the general election to be held on November ___, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT DORA, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT.

The City of Mount Dora has complied with all requirements and procedures of the Florida law in processing this Ordinance. The above recitals are hereby adopted.

SECTION 2. IMPLEMENTING ADMINISTRATIVE ACTIONS.

A. The City Manager is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance. The City

Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed prudent.

B. The City Clerk, as the Filing Officer for the City, is hereby directed to coordinate with the Lake County Supervisor of Elections, as necessary, to ensure that all advertising, translation and notice requirements are met to conduct the referendum election called for in Section 3 hereof.

SECTION 3. PROPOSED CHARTER AMENDMENTS WITH TITLE AND BALLOT QUESTION.

The amendment to the City of Mount Dora Charter as set forth hereafter shall be proposed to the registered voters of Mount Dora by way of the title and ballot question specified at the general election to be held on _____. Underlined words constitute additions.

Amending Section ____ – _____.

TITLE:

Amend Section ____ – _____

QUESTION:

Vote YES for _____ or vote NO if you want _____.

SECTION 4. SCRIVENER'S ERRORS.

Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the City Manager, or designee, without the need for a public hearing.

SECTION 5. SAVINGS CLAUSE.

All prior actions of the City pertaining to amending the City Charter, as set forth herein, are hereby ratified and affirmed consistent with the provisions of this Ordinance.

SECTION 6. CONFLICTS.

All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed; provided, however, that any code or ordinance that provides for an alternative process to effectuate the general purposes of this Ordinance shall not be deemed a conflicting code or ordinance.

SECTION 7. SEVERABILITY.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 8. EFFECTIVE DATE AND CODIFICATION.

A. This Ordinance shall become effective immediately upon enactment by the City Council and recordation in the Public Records of Lake County, Florida.

B. The individual Charter amendments proposed in Section 3 of this Ordinance shall become effective if a majority of the electors, voting in the general election on November ___, 2022, vote in favor of each such amendment. Thereafter, each approved amendment shall be codified into the City of Mount Dora Code of Ordinances and be renumbered or re-lettered as deemed appropriate by the codifier. The City Clerk shall file the revised Charter with the Department of State.

FIRST READING: _____

SECOND READING: _____

PASSED AND ADOPTED this _____ day of _____, 20__.

CRISSY STILE
MAYOR, City of Mount Dora, Florida

ATTEST:

JESSICA BURNHAM
CITY CLERK

For the use and reliance of the City of Mount
Dora only. Approved as to form and legality.

Sherry G. Sutphen
City Attorney