

## CHAPTER III ZONING DISTRICT REGULATIONS\*

\* **Editors Note:** Ord. No. 2003-85, § 2, adopted Oct. 7, 2003, amended Ch. III, in its entirety, to read as herein set out. Prior to inclusion of said ordinance, Ch. III pertained to similar subject matter. See also the Code Comparative Table.

### 3.00.00 Zoning Districts.

#### 3.01.00 Zoning District Use Regulations.

#### 3.02.00 Bulk Regulations.

#### 3.03.00 Urban Area Residential Density Point System and Timeliness.

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#### 3.05.00 Screening for Commercial and Industrial Uses.

#### 3.06.00 Regulations for the Parking, Storing, or Keeping of Boats, Buses, Trailers, Trucks, and Commercial Vehicles in The "A" Agriculture, "RA" Ranchette, "AR" Agricultural Residential, "R-1" Rural Residential, "R-2" Estate Residential, "R-3" Medium Residential, "R-4" Medium Suburban Residential, "R-6" Urban Residential, "R-7" Mixed Residential, "R-10" Multifamily Residential, "RP" Residential Professional, "RMRP" Mobile Home Rental Park, "RM" Mobile Home Residential, and "RV" Recreational Vehicle Zoning Districts .

#### 3.07.00 Adult Entertainment Establishments.

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#### 3.13.00 Wireless Antennas, Towers, and Equipment Facilities.

### 3.00.00 Zoning Districts.

3.00.01 Zoning Districts Established. In order to implement the Lake County Comprehensive Plan, and the other purposes and provisions of these regulations, the following districts are hereby established. The zoning districts may be referenced in these regulations by the letters or group of letters and numbers preceding the district name.

#### A. Wekiva River Protection Area Districts:

1. "A-1-40" Wekiva River Protection Area Overlay District 1.
2. "A-1-20" Wekiva River Protection Area Overlay District 2.

#### B. Agriculture Districts:

1. "A" Agriculture District.

#### C. Residential Districts:

1. "RA" Ranchette District.
2. "AR" Agricultural Residential.

3. "R-1" Rural Residential.
4. "R-2" Estate Residential.
5. "R-3" Medium Residential District.
6. "R-4" Medium Suburban Residential District.
7. "R-6" Urban Residential District.
8. "R-7" Mixed Residential District.
9. "R-10" Multifamily Residential.
10. "RP" Residential Professional.
11. "RMRP" Mobile Home Rental Park District.
12. "RM" Mixed Home Residential.
13. "RV" Recreational Vehicle Park District.

D. Commercial Districts:

1. "C-1" Neighborhood Commercial.
2. "C-2" Community Commercial District.
3. "C-3" Employment Center District.
4. "CP" Planned Commercial District.

E. Industrial Districts:

1. "LM" Light Industrial District.
2. "HM" Heavy Industrial District.
3. "MP" Planned Industrial District.

F. Community Facility Districts:

1. "CFD" Community Facility District.

G. Special Districts:

1. Airport Zones.
  2. Rural Village Districts.
  3. Planned Unit Developments (PUD).
  4. Mixed Use Quality Developments (MUQD).
- H. Overlay Districts (Reserved).

### 3.00.02 Purpose and Intent of Districts.

- A. "A-1-40" Wekiva River Protection Area Overlay District 1. The purpose and intent of the district is to provide an area where low-Density rural Development can occur while preserving Environmentally Sensitive areas. The continued use of the Land for traditional agricultural purposes is maintained where consistent with Best Management Practices and policies of the Lake County Comprehensive Plan. This overlay district will protect Environmentally Sensitive areas while encouraging rural uses which prevent further Encroachment by urban uses. All applicable Density, use and bulk standards for the A-1-40 district are set forth in Section 3.02.00 of these regulations.
- B. "A-1-20" Wekiva River Protection Area Overlay District 2. The purpose of the district is to provide an area where low-Density rural Development can occur while preserving Environmentally Sensitive areas. The continued use of the Land for traditional agricultural purposes is maintained where consistent with Best Management Practices and policies of the Lake County Comprehensive Plan. This overlay district will protect Environmentally Sensitive areas while encouraging rural uses which prevent further Encroachment by urban uses. To further conserve agricultural uses of the Land, Clustering of units is encouraged to maintain usable open space for agricultural, Conservation and recreation purposes. All applicable Density, use and bulk standards for the A-1-20 district are set forth in Section 3.02.00 of these regulations.
- C. "A" Agriculture District. The purpose of the district is to provide a method whereby parcels of Land which are most suited to agricultural usage may be classified and preserved for this purpose. Agriculture is a major industry of the County; therefore it is the intent of this district to: Provide long term means for preventing further Encroachment upon agricultural enterprises; to encourage agricultural pursuits by preserving good soils and agricultural areas from subdivision Development or commercial and industrial Construction.
- D. "RA" Ranchette District. The purpose of this district is to provide an outdoor, farm or rural atmosphere in which to reside, thus encouraging the growing of supplemental food supplies for the families living on the Land. It is also intended to protect prime agricultural areas from urban Encroachment and prevent undue taxing of public facilities such as schools, Roads, etc.
- E. "AR" Agricultural Residential. The purpose of this district is to protect and enhance the rural

lifestyle and quality of life of single family dwelling units designated for agricultural residential. It Permits a variety of activities which require rural locations, but which do not operate to the detriment of adjacent Lands devoted to residential purposes.

- F. Agricultural Industrial (Reserved).
- G. "R-1" Rural Residential. The purpose of this district is to provide a transition between agricultural and Conservation Areas and the more urban residential communities. It is intended to Permit the Development of single-family homes in an environment that is compatible with the surrounding natural resources.
- H. "R-2" Estate Residential. The purpose of this district is to encourage the retention and Development of suitable areas for select types of residential Development at a low Density, such as detached high and medium value country estates for single-family use; and discourage the Creation or continuation of conditions which could detract from the function, operation and appearances of rural areas by Permitting uses of Land and densities of population which more properly belong in urban places.
- I. "R-3" Medium Residential District. The purpose of the district is to provide for low and medium Intensity single-family residential usage in an urban area.
- J. "R-4" Medium Suburban Residential District. The purpose of this district is to provide for a medium Density single-family usage in a suburban or rapidly urbanizing area.
- K. "R-6" Urban Residential District. The purpose of this district is to provide for medium Density single-family residential and multifamily housing usage in the Urban Future Land Use Category.
- L. "R-7" Mixed Residential District. The purpose of this district is to provide for single-family and multifamily housing within the Urban Future Land Use Category, along the boundaries of any municipality which might logically be expected to expand and annex, or be able to provide urban conveniences and facilities.
- M. "R-10" Multifamily Residential. The purpose of this district is to provide for the Development of duplex and multifamily housing in an urban area.
- N. "RP" Residential Professional. The purpose of this district is to provide single-family, duplex and multifamily housing in an urban area where needed and where urban conveniences and facilities can be provided; also to provide for those professional services not in direct conflict with the residential usage and which do not generate traffic of such a nature as to require commercial or industrial zoning.
- O. "RMRP" Mobile Home Rental Park District. The purpose of this district is to provide for a mobile home urban environment in a rental park where the Dwelling Unit may or may not be owned by the tenant residing within, provided however, that the real property for the entire mobile home community is under single ownership.

- P. "RM" Mixed Home Residential. The purpose of this district is to provide for a single-family residential home district in an urban area, along the boundaries of any municipality which might logically be expected to expand and annex, or be able to provide urban convenience and facilities.
- Q. "RV" Recreational Vehicle Park. The purpose of this district is to provide for the location and Development of parks for recreational vehicles.
- R. "C-1" Neighborhood Commercial. The purpose of this district is to provide limited retail services of a convenience nature, serving a rural community or residential neighborhood.
- S. "C-2" Community Commercial District. The purpose of this district is to provide full-scale retail and professional services to serve several small communities.
- T. "C-3" Employment Center District. The purpose of this district is to provide an environment which would Permit the Development of light industrial, wholesale, manufacturing and assembly uses, warehousing, offices, and combinations of the above uses. Commercial and residential uses are Permitted within Employment Centers when the alternate use results in a reduction in Density or Intensity. Residential densities Shall comply with all applicable provisions of the Comprehensive Plan. Rezoning of Land immediately adjacent to an existing employment center Shall be allowed without a Comprehensive Plan amendment so long as the Density and Intensity does not exceed that of the adjacent employment center.
- U. "CP" Planned Commercial District. The purpose of the "CP" planned commercial district is to provide for any commercial Land Use currently available in any other commercial district and to provide for any commercial Land Use for which no provision is made elsewhere in these regulations. The intent of this zoning district is to establish "CP" districts individually under approved site plans, submitted either at the initial rezoning stage or prior to the actual Development of the property, and conditions necessary to promote the general welfare and to secure economic and coordinated Land Use.
- V. "LM" Light Industrial District. The purpose of this district is to provide a method whereby industries engaged in the manufacturing and/or sale of products may locate in a clean environment; the regulations of this district are intended to encourage the betterment of industrial Development and effect a greater degree of compatibility with more restrictive districts.
- W. "HM" Heavy Industrial District. The purpose of this district is to provide a method whereby industries necessary to the area, but with inherent characteristics which could prove obnoxious or detrimental to a different type of industrial operation, may locate in the most suitable and advantageous spots to minimize inconvenience to the general public. This district also offers greater economy and freedom to the industrial Developer by the relaxation of certain standards and screening and requirements within the district itself.
- X. "MP" Planned Industrial District. The purpose of the "MP" planned industrial district is to

provide for any industrial Land Use currently available in any other industrial district and to provide for any industrial Land Use for which no provision is made elsewhere in these regulations. The intent of this zoning district is to establish "MP" districts individually under approved site plans, submitted either at the initial rezoning stage or prior to the actual Development of the property, and conditions necessary to promote the general welfare and to secure economic and coordinated Land Use.

- Y. "CFD" Community Facility District. The purpose of this section is to allow for the Creation of "CFD" community facility districts in those areas where special or substantial community interest uses and activities are necessary and desirable. It is further the intent, to establish CFD districts individually under site plans and conditions necessary to promote general welfare and to secure economic and coordinated Land Use.
- Z. Airport Zones. The purpose of this district is to ensure that certain Airports, as well as Development adjacent to certain Airports, are compatible with public safety and safe operation of airborne craft.
- AA. Planned Unit Development District. The purpose of this section is provided in section 4.03.01.
- BB. Mixed Use Quality Developments. The purpose of this district is provided in section 4.04.01.

3.00.03 Consistency of Zoning Districts With Land Use Classifications. The Land Use classifications for Lake County are established in the Lake County Comprehensive Plan, including the Future Land Use Map Series. Table 3.00.03 indicates which zoning districts are allowable in the Land Use classifications established in the Comprehensive Plan. While the zoning districts are allowable, this approval is not automatic. All zoning changes must be granted through the process established in Chapter XIV of these regulations.\*

3.00.04 Renaming of Zoning Districts.

- A. The following zoning districts existing as of May 31, 1992, Shall be renamed as follows.

Table 3.00.03 Land Use --  
Zoning District Matrix

Land Use Category	Zoning District
URBAN Maximum Density 7 du/Gross Acre	A, RA, R-1, R-2, R-3, R-4, R-6, R-7, RM RMRP, RP,
Low Density Residential	RV, PUD, CFD, C-1, C-2,
Medium Density Residential High Density Residential Commercial	C-3, CP, LM, HM, MP
Industrial Special Districts	

URBAN EXPANSION Maximum Density 4 du/Gross Acre Low Density Residential Medium Density Residential High Density Residential Commercial Industrial Special Districts	A, RA, AR, R-1, R-2, R-3, R-4, RMRP, RP, RM, RV, PUD, CFD, C-1, C-2, C-3, CP, LM, HM, MP
SUBURBAN Base Density 1 du/5 Gross Acre Meeting Timeliness 1 du/Gross Acre PUD meeting Timeliness 3 du/Gross Acre Low Density Residential Medium Density Residential Commercial Industrial Special Districts	A, RA, AR, R-1, PUD, C- 1, CP, CFD, LM, MP
RURAL Maximum Density 1 du/5 Gross Acres Low Density Residential Neighborhood Commercial Industrial Special Districts	A, RA, CP, PUD, CFD, LM, MP
RURAL VILLAGE Maximum Density 2 du/Gross Acre Low Density Residential Medium Density Residential Neighborhood Commercial Special Districts Light Industrial	A, RA, AR, R-1, R-2, PUD, CFD, C-1, C-2, CP
EMPLOYMENT CENTER Commercial Industrial Special Districts	PUD, CFD, C-1, C-2, C-3, CP, LM, HM, MP
COMMERCIAL ACTIVITY Commercial Special Districts	C-1, C-2, C-3, CP, PUD
FUTURE EMPLOYMENT CENTER Commercial Industrial Special Districts	PUD, CFD, C-1, C-2, C-3, CP, LM, HM, MP
WEKIVA RIVER PROTECTION AREA Maximum Density Sending Area #1 "A-1-40" Overlay District Sending Area #2 "A-1-20" Overlay District Receiving Area #1 "A-1- 20" Overlay District Special Districts	A-1-20, A-1-40, CFD See Chapter VII, Wekiva for Vesting and Transfer of Development Rights

MT. PLYMOUTH/SORRENTO URBAN COMPACT NODE - WEKIVA Receiving Area #2 Maximum Density 5.5. du/net ac. - Subject to Transfer of Development Rights's Low Density Residential Medium Density Residential Neighborhood Commercial Special Districts	A, RA, AR, R-1, R-2, R-3, R-4, R-6, PUD, CFD, CP, RP
MT. PLYMOUTH/SORRENTO URBAN COMPACT NODE - NOT WEKIVA Maximum Density 5.5 du/net ac Low Density Residential Medium Density Residential Neighborhood Commercial Special Districts	A, RA, AR, R-1, R-2, R-3, R-4, R-6, PUD, CFD, C-1, C-2, C-3, CP, LM, HM, MP, RP
RIDGE Maximum Density 4 du/Gross Acre Low Density Residential Medium Density Residential Commercial Special Districts	A, RA, AR, R-1, R-2, R-3, R-4, CFD, PUD, C-1, C-2, CP
TRANSITIONAL Base Density 1 du/5 Gross Acres Meeting Timeliness 1 du/Gross Acre Low Density Residential Commercial Special Districts	A, RA, AR, R-1, CFD, PUD, C-1
RURAL/CONSERVATIO N Maximum Density 1 du/10 Gross Acres Low Density Residential Special Districts	RC-1-10, PUD, CFD
CORE/CONSERVATION (Maximum Density 1 du/20 Gross Acres) Low Density Residential Special Districts	RC-1-20, PUD, CFD

Zoning Districts (Old)	Zoning Districts (New)
A-1-40	A-1-40
A-1-20	A-1-20
A	A
RA	RA
AR	AR
RR	R-1
RE	R-2
ER	R-2
R-1-15	R-3
R-1-10	R-4



R-1-7	R-6
R-1-6	R-6
R-1-5	R-7
--	R-10
RMRP	RMRP
RM	RM
RP	RP
--	RV
C-1	C-1
C-2	C-2
--	C-3
CP	CP
LM	LM
M-1	HM
MP	MP
PUD	PUD
PFD	CFD
--	MUQD

- B. A Lot which met the Lot size requirements of the old zoning districts on May 31, 1992, Shall be deemed to comply with the Lot size requirements of the new zoning districts. For example, a Lot created on or before May 31, 1992, which contained five thousand (5,000) square feet in the R-1-5 zoning district, Shall be deem to comply with the R-7 zoning district Lot size requirement of five thousand four hundred forty-five (5,445) square feet.

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2009-29, § 2, 6-2-09)

**3.01.00 Zoning District Use Regulations.**

3.01.01 Generally. The purpose of this section is to describe the specific uses and restrictions that apply to the zoning districts established in these regulations. These regulations are intended to allow Development and use of property only in compliance with the goals, objectives and policies of Lake County as expressed in the Lake County Comprehensive Plan.

3.01.02 Classification of Uses.

A. Residential Uses:

1. Single-Family Dwelling Unit. One (1) Dwelling Unit, including modular and mobile homes, that may be detached from any other Dwelling Unit or may be attached to another single-family Dwelling Unit on an adjacent Lot by a common party wall.
  - a. Single-Family Dwelling Units Shall have a minimum width of twenty-three (23) feet four (4) inches at the narrowest point, excluding any attached screened room, architectural design features, garages, Carports or utility area. Prior to the issuance of any Building or use Permits, site plans set forth under the general provision section Shall be submitted to the County Manager or designee for his approval.
  - b. The pitch of the main roof Shall not be less than one (1) foot of rise for each four

(4) feet of horizontal run and a minimal overhang of six (6) inches. Installed gutter may be counted as part of the six (6) inch overhang.

- c. A solid foundation or Permanent skirting Shall be required around the perimeter of the unit.
  - d. Any wheels, tongue or any transportation apparatus must be removed or enclosed.
2. Duplex or Two-Family Dwelling. A single Building containing two (2) Dwelling Units.
  3. Multifamily Dwelling. Three (3) or more Dwelling Units within a single Building. Typical uses include Apartments, residential Condominiums, and townhouses.
  4. Mobile Home Dwelling. One (1) Dwelling Unit within a mobile home.
  5. Recreational Vehicle Park. A parcel of Land under unified ownership and Management which is planned, designed and constructed for the placement of recreational vehicles and tents for short-term occupancy of spaces rented from the owner for recreational purposes.

B. Agricultural Uses.

1. General Agriculture. Establishments for the keeping, grazing or feeding of livestock and animals; feedlots; croplands; aquaculture; silviculture; apiaries; honey extracting; and buildings which are an accessory use to these agricultural uses. This category of uses does not include processing or distribution plants for agricultural products and supplies when not an accessory use in conjunction with the agricultural operation. Exotic animals are not included in this classification.
2. Non-intensive Agriculture. The milking, feeding, or sheltering of farm animals or growing of supplemental food supplies for the domestic, noncommercial use of the families living on the land. Exotic animals are not included in this classification.
3. Agricultural Housing/Camps. Housing for farmworkers where the occupants of such housing perform work either on or off the premises where such camp is located.
4. Greyhound Dog Farms. The keeping of greyhound dogs for sale, breeding, or racing purposes.
5. Kennel. The keeping of dogs and/or cats as defined in Chapter II, Definitions, except in a veterinary clinic or hospital, or in a pet shop as defined in Chapter II.
6. Mills. Milling of natural resources, together with structures, machinery, equipment, and facilities incidental to the development thereof, including, but not limited to mills and sawmills, wood fiber mills, wood processing mills, turpentine stills.

7. Mining and Quarrying. Extraction of natural resources, together with structures, machinery, equipment, and facilities incidental to the development thereof, including, but not limited to extracting, processing, storing, selling and distribution of sand, clay, gravel, etc. and peat and muck recovery and processing.
8. Plant Nurseries. The cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. Greenhouses are included in this classification.
9. Roadside Farm Stands. Stands that are used to show and sell products all of which are raised or produced on the land on which they are located.
10. Veterinary Clinic or Hospital. An establishment providing medical care, treatment, grooming, or boarding services for animals.
11. Agriculture Industry (Reserved).
12. Pigeon Husbandry. The hobby of breeding, raising, and showing pigeons for racing and show purposes only. The breeding, raising, and slaughtering pigeons as squab is excluded from this definition.
13. Exotic Animals. Those animals classified as either Class I or Class II captive wildlife as set forth in Rule 68A-6.002, Florida Administrative Code.

C. Commercial Uses.

1. Adult Use. The following types of establishments: Adult Bookstores, Adult Motion Picture Theaters, Cabarets, massage parlors, Adult Motels, model studios, adult restaurants, sexual encounter centers, and establishments for the consumption of intoxicating liquor or alcohol on the premises which do not hold an alcoholic beverage license (excluding residential uses and establishments where alcohol is not consumed more than twelve (12) times per calendar year.)
2. Amusements, Commercial. Predominantly spectator activities that attract large crowds or have a high degree of impact on adjacent properties. Typical uses include amusement parks, auditoriums, convention centers, circuses, zoos, race tracks, sports arenas, and drive-in theaters.
3. Automotive Repair. Includes major repair or painting of motor vehicles, including body work and installation of major Accessories.
4. Automotive Service Station/Convenience Store. Includes the sale, from the premises, of goods and the provision of services which are generally required in the operation and Maintenance of automotive vehicles and the fulfilling of motorist needs, including the sale of petroleum products together with the sale and servicing of tires, batteries,

automotive Accessories, lubricating services, and the performance of minor repairs. May include groceries, convenience goods, Lottery sales, or other similar uses found in a convenience store.

5. Banking. Establishments engaged in deposit banking. Typical uses include commercial banks, savings institutions, and credit unions.
6. Bar or Tavern. An establishment primarily engaged in the preparation and retail sale of alcoholic beverages for consumption on the premises, and which may also provide entertainment.
7. Consumer Services and Repair. An establishment engaged in the cleaning or repair of personal apparel and household appliances, furniture and similar items, excluding repair of motor vehicles. Typical uses include apparel repair and Alterations, appliance repair, bicycle repair, carpet cleaning, clock and watch repair, diaper service, furniture repair and reupholstery, laundry or dry-cleaning plants, and shoe repair.
8. Hotel or Motel. A Building, or part thereof, in which sleeping accommodations are offered to the public, which may or may not offer cooking facilities for use by the Occupants, and in which there may be a public dining room for the convenience of the guests. This term may also include Boardinghouses, lodging houses, rooming houses, bed and breakfasts, or Apartment Hotels.
9. Marina. A facility located on a public navigable waterway which is Accessible and adjacent to the shore, and which is provided with slips and moorings for securing, servicing, or repairing of yachts, cruisers, motor and outboard motorboats, sailboats, and charter fishing boats, but specifically excluding industrial and commercial fishing craft.
10. Medical Service. An establishment providing therapeutic, preventive, or corrective personal treatment services on an out-patient basis by physicians, dentists, and other practitioners, as well as the provision of medical testing and analysis services. Typical uses include medical and dental offices and clinics, blood banks, and medical laboratories.
11. Personal Care Services. An establishment primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops, electrolysis studios, shoe-shining operations, self-service Laundromats and laundry pick-up and drop-off stations.
12. Professional Office. An establishment providing executive, Management, administrative, or professional services, but not involving medical or dental services or the sale of merchandise, except as incidental to a Permitted use. Typical uses include offices for: accountants, economic consultants and stock brokers; attorneys; Engineers, Architects, surveyors, draftsmen, industrial designing, model making, planners, sculptors and artists, editorial and general designing, ceramic arts, and photographers; advertising agencies;

insurance, real estate and/or escrow or abstract offices; secretarial and telephone answering services; and mortuaries and funeral homes.

13. Recreation Commercial. Establishments including skating and roller rinks, bowling Alleys, pool halls, miniature golf courses and driving ranges, and public swimming pools.
14. Research Service. An establishment engaged in research of an industrial or scientific nature, other than medical testing and analysis and routine product testing, which is offered as a service or which is conducted by and for a private, profit-oriented firm.
15. Restaurant, Fast Food. An establishment where the principal business is the sale of food and non-alcoholic beverages to the consumer in a ready-to-consume state and where the design or principal method of operation is that of a fast-food or drive-in restaurant offering quick food service, where orders are generally not taken at the customer's table, where food is generally served in disposable wrapping or containers, and where food and beverages may be served directly to the consumer in a motor vehicle.
16. Restaurant, General. An establishment where the principal business is the sale of food and beverages in a ready-to-consume state and where the design or principal method of operation consists of one (1) or more of the following:

A sit-down restaurant where customers, normally provided with an individual menu, are generally served food and beverages in non-disposable containers by a restaurant employee at the same table or counter at which said items are consumed; or

A cafeteria or cafeteria-type operation where foods and beverages are generally served in non-disposable containers and consumed within the restaurant; or

Small specialty restaurants having Floor area exclusively within a shopping or office center, sharing common parking facilities with other businesses within the center, and having common Access to a common interior pedestrian Accessway.
17. Retail, Convenience. An establishment serving a limited market area and engaged in the retail sale or rental, from the premises, of frequently or recurrently needed items for household use. Typical uses include drugstores, apparel and cosmetic stores, bookstores, newsstands, flower shops, video tape rental stores, retail bakeries, gift shops, hardware stores, and convenience food stores, including Accessory gasoline sales.
18. Retail, General. An establishment providing general retail sales, services or rental from the premises of goods and/or services not specifically classified in another commercial activity type. Typical uses include auto parts stores, apparel stores, business machine sales, clothing rental stores, computer stores, department stores, discount stores, drug stores, furniture stores, food stores, garden supply stores, hardware stores, office supply stores, pest control service, toy stores, and variety stores.

19. Self-Service Laundry. An establishment providing facilities for self-service or drop off service laundry, including Laundromats, self-service dry cleaning establishments, and pick-up stations for receiving and delivery of dry-cleaning which Shall be cleaned elsewhere.
20. Self-Service Storage. An establishment renting or leasing small storage units for the purpose of storing personal property, where no other commercial uses are allowed within the establishment.
21. Theater. A movie theater establishment that is operated in an enclosed Building.
22. Truckyard. The storage of vehicles, equipment and materials, together with related facilities Accessory to the use.
23. Vehicular Sales. An establishment engaged in the retail or wholesale sale or rental, from the premises, of motorized vehicles or equipment, along with incidental service or Maintenance. Typical uses include new and used automobile sales, boat sales, moving trailer rental, and farm equipment and machinery sales and rental.
24. Wholesale and Warehouse. An establishment offering wholesaling, storage or warehousing services. Typical uses include wholesale distributors, storage warehouses, moving and storage firms, and trucking and shipping operations. This activity does not include self-service storage facilities.

D. Industrial Uses.

1. Industrial Use, Light. An Industrial Use engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, generally within an enclosed Building. Light Industrial uses include, but are not limited to: Publishing plants, medical/biomedical operations, warehousing, automotive/mechanical repair, paint and body shops. These examples are not intended to be comprehensive and may not include all light industrial uses. If a use is not specifically listed herein and exhibits similar characteristics to those listed, the County Manager, or designee, Shall make a written interpretation that the proposed use exhibits similar characteristics to a listed use, in which case the use Shall be permitted in the same manner as the use with similar characteristics. This category also includes crematories.
2. Industrial Use, Heavy. An Industrial Use that has significant potential impacts on the environment or adjacent uses including but not limited to noise, vibrations, emissions, hazards and odors, where more than twenty (20) percent of the use takes place outside of an enclosed Building or where exterior storage equals or exceeds building floor area. Heavy Industrial uses include, but are not limited to: junkyards, rail-yards, bulk petroleum storage, concrete batch plants, asphalt plants, resource extraction, incinerators (A facility in which Solid Waste or Recovered Materials are disposed of through a burn process.),

fabrication facilities (involving open air grit blasting or open air painting), fiberglass products manufacturing facility, explosive storage and or manufacturing facility, pesticide formulation facility, soil remediation facility, bulk solvent chemical storage/processing facility, and secondary metals recovery/manufacturing facility. Heavy Industrial uses also include agriculturally related industry or processes. These examples are not intended to be comprehensive and may not include all heavy industrial uses. If a use is not specifically listed herein and exhibits similar characteristics to those listed, the County Manager, or designee, Shall make a written interpretation that the proposed use exhibits similar characteristics to a listed use, in which case the use Shall be permitted in the same manner as the use with similar characteristics.

3. Recycling Center. A facility used for the processing and temporary storage of small recyclable items such as, but not limited to, food and beverage containers, fabrics, and paper.
4. Junkyard. An establishment engaged in the storage and sale, from the premises, of used or waste material or other items, except where such activities are incidental to a manufacturing operation. Uses include automobile salvage yards.

E. Community Facility Uses.

1. Cemetery. Land Used or intended to be used for the burial of the dead, whether human or animal, including a mausoleum or columbarium.
2. College or University. An institution of higher education offering undergraduate or graduate degrees including community colleges.
3. Church. A Building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship.
4. Community Residential Home. A Dwelling Unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for seven (7) to fourteen (14) unrelated residents, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.
5. Cultural Institution. A public or private nonprofit facility providing cultural services to the public. Typical uses include museums, libraries, and observatories.
6. Day Care Center. A facility that cares for seven (7) or more children, not related to the operator by blood, marriage, adoption, or foster care responsibility, away from the client's own home, for periods of less than twenty-four (24) hours per day.
7. Dormitory. A facility providing group living quarters for a student body, religious order, or other group as an associated use to a college, university, Boarding school, orphanage,

convent, monastery or other similar use.

8. Family Day Care Home. A facility that cares for six (6) or fewer children, not related to the operator by blood, marriage, adoption, or foster care responsibility, away from the client's own home, for periods of less than twenty-four (24) hours per day.
9. Family Residential Home. A Dwelling Unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for up to six (6) unrelated residents, who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.
10. Primary or Secondary School. An organization formed and chartered for instructional purposes at a primary or secondary level, approved under the regulations of the State of Florida.
11. Comprehensive Transitional Education Facility. A group of jointly operating centers or units which provide educational care, training, treatment, habilitation, and rehabilitation services to Persons who have Developmental disabilities.
12. Landfill. A Solid Waste Land disposal area that receives Solid Waste, including residue from an incinerator, for disposal in or upon Land other than Land-spreading site, injection well, or a surface impoundment.
13. Nursing Home. An establishment providing bed-care and in-patient services for Persons needing regular medical attention, but excluding surgical or emergency medical services or providing care for alcoholism, drug addiction, mental disease, or communicable disease.
14. Utilities, Limited. Essential utility facilities, such as utility Rights-of-Way, electricity substations serving less than two hundred thirty (230) KV and associated with the local distribution of electricity, and private water and wastewater treatment plants provided that they are for the sole use of the particular private Development, and are not intended to serve a sub-regional or regional system.
15. Utilities, Major. This group of activities includes those uses which provide essential or important public services and utilities. Uses include the following, and substantially similar activities, based upon similarity of characteristics: utility facilities, such as water plants, wastewater treatment plants, power plants, electricity substations; and Maintenance facilities and storage yards for schools, government agencies, and telephone and cable companies. This section does not include telecommunications towers.

F. Recreation Uses.

1. Club, Private or Country. An establishment providing meeting, recreation, or social



facilities for a private or non-profit organization, primarily for the use of members and their guests.

2. **Riding Stable or Academy.** A stable, other than a private stable, used for the care of horses, ponies or other livestock to be used for instruction, recreation, renting or hiring or for Boarding such animals.
3. **Hunting and Fishing Resort.** An establishment, operated in association with a hunting or fishing reserve or resource, that offers accommodations and Accessory sale and rental of hunting and fishing equipment. This use classification does not include Hotels or motels.
4. **Parks and Recreation.** An outdoor recreational use with a low Intensity of Development. Typical uses include parks, playgrounds, biking and nature trails, picnic grounds, golf courses, and ball fields.

#### 3.01.03 Schedule of Permitted and Conditional Uses.



Egg Processing Facilities	C																						1
Exotic Animals	C																						13 & 3.01.02. B.1 & 2.
Greyhound Dog Farms	C																						20
Hog Farms	C																						1
Horse-Breeding Farms	P	P	P	P																			1
Kennels	C														P		P	P	P	P			1, 18 & Chap. II, Definitions
Loft/Aviary	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P						22
Mills	C																				P		Sec. 3.01.2. B.6
Mining and Quarrying	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		Sec. 3.01.02. B.7
Plant Nurseries *5 acre requirement	P	C	C	C*										P	P	P	P						16 & Sec. 3.01.02. B.8
Obnoxious Uses	C													C	C	C	C	C	C	C	C		Chap. II, Definitions

Roadside Farm Stands	P	P	C																			Sec. 3.01.02. B.9
Slaughter Houses	C																C					
Veterinary Clinics	P									C			C	C	C	P	C	P	P			12
COMMERCIAL USES (See Policy 1-1.13 of Comprehensive Plan for commercial site restrictions in Employment Center land use designation.)																						
Adult Use														C		C						2 & Sec. 3.07.00
Amusements, Commercial	C												C	C		P						Sec. 3.01.02. C.2
Automotive Repair														P	P	P	P	P	P			Sec. 3.01.02. C.3
Automotive Service Station/ Convenience Store													P	P	P	P				P		Sec. 3.01.02. C.4
Banking													P	P	P	P				P		Sec. 3.01.02. C.5
Bar or Tavern													P	P	P	P	P	P	P			Sec. 3.01.02. C.6
Carwash													P	P	P	P				P		See Chap. II, Definitions
Consumer Services and Repair														P		P	P			P		C Sec 3.01.02. C.7



Theaters															P		P					P			Sec. 3.01.02.C.21
Recreational Vehicles																							P		17
Truck Yard	C																P	P	P	P					13 & Sec. 3.01.02.C.22
Vehicle Sales															C	C	P	P	P	P					Sec. 3.01.02.C.23
Wholesale and Warehouse															P	P	P	P	P	P					Sec.3.01.02.C.24

**INDUSTRIAL USES**

Airport																			P	P	P				8
Industrial, Light																		P	P	P					Sec. 3.01.02.D.2
Industrial, Heavy	C																		P, C	P, C					Sec. 3.01.02.D.3, 21 & 24
Junkyard																	P		P	P					9 & Sec. 3.01.02.D.5
Recycling Center																		P	P	P	P				Sec. 3.01.02.D.4
Trucking Facilities																			P	P	P				
Warehouses															P	P	P	P	P	P					Sec. 3.01.02.C.24

**COMMUNITY FACILITY USES**

Cemetery	C																P				P		10	
College or University	C														P	P	P					P		
Church														P	P	P	P					P		11
Community Residential Home										P				P	P		P					P		Sec. 3.01.02. E.4
Cultural Institution														P	P	P	P	P				P		Sec. 3.01.02. E.5
Day Care Center														P	P	P	P					P		Sec. 3.01.02. E.6
Dormitory																P	P	P				P		Sec. 3.01.02. E.7
Expressway Interchange, Wekiva																						P		
Family Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				P		Sec. 3.01.02. E.8
Family Residential Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P		Sec. 3.01.02. E.9
Landfill	C																P	C	C	P				21
Nursing Home									C	C	C					P	P					P		Sec. 3.01.02. E.13

Primary or Secondary School	C	C	C	C	C	C	C	C	P	P	P	C	C	P	P	P		P			P		
Utilities, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Sec.3.0 1.02.E.1 4
Utilities, Major	C													P	P	P	P	P	P	P		Sec.3.0 1.02.E.1 5	
Wireless Antennas, Towers and Equipment																						a., b. & c. below covered in Sec. 3.13.00	
a. Camouflaged	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	19
b. Amateur Radio Station Operators/Receive Only Antennas	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
c. All others must meet 3.13.00 requirements	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	19*
RECREATIONAL USES																							



Club Private or Country														P	P	P	P				P		14 & Sec. 3.01.02. F.1
Riding Stable or Academy	C	C	C																		P		4 & Sec. 3.01.02. F.2
Parks and Recreation, Passive	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	Sec. 3.01.02. F.4
Hunting and Fishing Resorts	C	C	C	C	C										C						P	C	Sec. 3.01.02. F.3

P = Permitted Use C = Conditional Use PLEASE SPEAK WITH A PLANNER FOR ANY COMMERCIAL USES.

#### 3.01.04 Key to Conditions in Table of Permitted and Conditional Uses.

1. Keeping of Livestock for General Agriculture and Non-Intensive Agriculture. These uses Shall only be Permitted as shown in Table 3.01.03 Schedule of Permitted and Conditional Uses and Shall adhere to the following setbacks:
  - a. A Livestock Building should maintain a two hundred (200) foot setback from the property line. In the event that a Livestock Building cannot be constructed because of the two hundred (200) feet setback, then the Livestock Building Shall be as closely centered as possible between the property lines AND Shall maintain a fifty (50) foot setback from the property line.
  - b. If the Lot Width or Length is equal to or less than one hundred fifty (150) feet, then the Livestock Building Shall be as closely centered as possible between the property lines AND Shall maintain a fifty (50) foot setback from the property line.
2. Adult Uses. Adult Uses must comply with the provisions of Section 3.07.
3. Single-Family and Multifamily Dwelling Units in the C-1, C-2 Zones and RMRP.
  - a. Single-family and multifamily Dwelling Units are Permitted in the C-1 and C-2 zones, with Site Plan approval by the County Manager or designee when used in conjunction with the operation of a business on the premises. Such single-family and multifamily Dwelling Units Shall be an integral part of the principle business structure and located behind or above that portion of the business structure devoted to service to the public.
  - b. Only rental single family dwelling units are permitted in RMRP.
4. Riding Stables or Academies.
  - a. Public or private riding stables or academies, where Permitted, Shall not be located on a tract of Land less than ten (10) acres in size.
  - b. No structure housing the animals Shall be less than two hundred (200) feet from the nearest Right-of-Way line of any Public Road, County Road, state or federal Road or highway or the adjacent boundary of property owned by others. This two hundred-foot setback may be reduced to one hundred (100) feet if the adjacent property is under common ownership.
5. Retail, Convenience Uses in the RMRP Zone. Retail, Convenience uses are allowed in the

RMRP zone with site plan approval and when integrated into the rental park specifically for the purpose of serving the residents of the park and where total site area is less than or equal to 2% of the overall area in the rental park.

6. Self-Service Laundry in the RMRP Zone. Self-Service Laundry uses are allowed in the RMRP zone provided that use is situated to be equally convenient to all residents of the park and also provided that it is intended for use of the residents of the park only.
7. Recreational vehicles Shall not be occupied as a residence permanently or temporarily in any zoning district except for the RV zoning district or as a temporary use under Section 10.02.02.
8. Airports.
  - a. Applicants Shall secure preliminary approval from the state and federal aviation agencies prior to filing for a conditional use Permit.
  - b. Runways Shall be not less than eight hundred (800) feet from the nearest existing off-site Dwelling or farm Building, and on-site structures Shall comply with FAA regulations.
9. Junkyards. Junkyards to include disposal and/or sanitary Landfill operations which Shall meet the following provisions:
  - a. The minimum area of Land to be used Shall not be less than forty thousand (40,000) square feet.
  - b. No junkyard, Automobile Graveyards and disposal and or sanitary Landfill operations Shall be operated or maintained within one thousand (1,000) feet of any state or federal highway Right-of-Way provided however that a Person who was operating or maintaining a legally established junkyard, Automobile Graveyard and disposal and or sanitary Landfill operation less than one thousand (1,000) feet from any highway prior to July 1965 may be Permitted to operate and maintain his junkyard, Automobile Graveyard, and disposal and or sanitary Landfill operation if the view from such highway is screened by such fences on his property line as set forth above.

Provided further that the provisions herein Shall not be constructed to prohibit and Person who operates or maintains a junkyard, Automobile Graveyard, and disposal and or sanitary Landfill operation less than one thousand (1,000) feet from any highway prior to July 1, 1965 to enlarge, expand or increase the size of said junkyard, Automobile Graveyard and disposal and/or sanitary Landfill operation.
10. Cemeteries.
  - a. Shall provide adequate means of ingress and egress for vehicles so that traffic along adjacent Public Roads or highways is not Blocked or unduly congested while funeral processions are entering or leaving the cemetery.

- b. Setbacks for grave Lots from the nearest property line adjacent to the Right-of-Way line of any Public Road, secondary or primary state or federal Road or highway Shall be fifty (50) feet.
  - c. Setbacks for grave Lots Shall be five (5) feet from any property not within the approved boundaries of the cemetery.
  - d. A Landscaped Buffer strip five (5) feet in depth Shall be provided around all sides of the cemetery not fronting a Public Road, Road or highway and the requirements thereof Shall be made as a condition of approval.
11. Churches. Where such Church property requires that the minister's single family dwelling unit be placed on Church premises, the area occupied by such residence Shall be considered a Lot and Shall conform to the general requirements for single-family Dwelling Units. The area occupied by such single family dwelling unit Shall be calculated separately from the Lot Area of the Church Building.
12. Veterinary Clinics in the RP, C-2, LM, HM and MP Districts. All animal service and confinement areas Shall be in an air conditioned and sound attenuated Building. Facilities for housing of not less than five (5) animals Shall be maintained on premises.

Under the RP District, no Boarding of animals Shall be Permitted.
13. Truckyards in the A District. In the Agriculture district, only truckyards for citrus and produce transporting operation are allowed.
14. Clubs, Private. Where such private club required the caretaker's single family dwelling unit to be placed on the property of the private club's premises, the area occupied by such residence Shall be considered a Lot and Shall conform to the general requirements for a residence. The area occupied by such single family dwelling unit Shall be computed separately from the Lot Area of the private club Building.
15. Marinas. Marinas, public or private, in Addition to the requirements set forth in these regulations, Shall secure a Permit from the water Management district in which it is to be located and other Permits as required by state or federal agencies.
16. Plant Nurseries.
  - a. Plant nurseries and greenhouses, where Permitted in R-1, RA and AR, Shall store all cans or containers, of whatever nature, and other equipment incidental thereto, inside Buildings or screened areas so that they are hidden from view of all property owned by others, or from any Public Road, County Road, secondary or primary state or federal Road or highway.

- b. Retail sales may be conducted from the property where located in zoning districts C-1, C-2 and CP. For the Agriculture, AR, and RA zoning districts, retail sales may be conducted from the property only where such sales are incidental to the production of the plants and not as the primary usage of the property.
  - c. In R-1, Plant Nurseries Shall be Permitted if the Land Area is less than five (5) acres. In R-1, Plant Nurseries Shall require a Conditional Use Permit if the Land Area is equal to or greater than five (5) acres.
17. Recreational Vehicle Parks.
- A. Requirements for New Development
    - 1. Special Accessory Use. Upon review by the Board of County Commissioners Accessory uses such as retail stores, laundries and other tourist oriented retail Developments may be Permitted subject to the following limitations:
      - a. Such uses Shall be conducted solely for the convenience of the Occupants.
      - b. Such retail establishments Shall be oriented to the interior of the park.
    - 2. Master Park Plan Permit Required. A Master Park Plan Permit is required prior to any Construction, extension, Alteration or disturbance of the Land or its natural features and vegetation; nor Shall any Building Permit be issued prior to the review of a master park plan by the Lake County Planning Department.
18. Kennel or Cattery. Any conditional use Permit issued for a Kennel or Cattery Shall address the maximum number of animals to be Permitted in the Kennel or Cattery, required setbacks, the impact which animal noise and odor may have upon adjacent property owned by others, and provision for removal of animal waste and sewage.
19. Wireless Antennas, Towers, and Equipment Facilities. See Section 3.13.00 Wireless Antennas, Towers, and Equipment Facilities.
20. Greyhound Dog Farms. Any run, pen, Building, or structure used for such purpose Shall maintain a two hundred (200) foot setback from the nearest Right-of-Way line of any Road, highway, or adjacent boundary of property owned by others. Any conditional use Permit issued for a greyhound dog farm Shall address the maximum number of animals to be Permitted in the greyhound dog farm, required setbacks, the impact which animal noise and odor may have upon adjacent property owned by others, and provision for removal of animal waste and sewage.
21. Incinerators and Landfills. A Final Site Plan Shall be submitted to the Board of County Commissioners for consideration.
22. Pigeon Lofts and Aviaries. The non-commercial breeding and husbandry of pigeons, as a hobby,

may be conducted with the following restrictions:

- a. Pigeon Lofts Shall be used for the breeding and husbandry of pigeons.
  1. All Pigeons Shall be confined in a loft, except for limited periods necessary for exercise, training, and competitions. At no time Shall Pigeons be allowed to perch or use the Buildings or Property of others.
  2. All Pigeons Shall be fed within the confines of the loft.
  3. No commercial activities such as sales, shows, exhibits, and/or races Shall be staged on the Property. However, the Property may be used as a receiving area for racing homers, Pigeons or carrier Pigeons.
  4. Lofts Shall be of such sufficient size and design, and constructed of such material, that it can be maintained in a clean and sanitary condition.
  5. Feed for said Pigeons Shall be stored in such containers as to protect against intrusion by rodents and other vermin.
  6. The loft Shall be kept dry and maintained in a sanitary condition.
- b. The loft(s) Shall only be permitted as shown in Table 3.01.03 Schedule of Permitted and Conditional Uses and Shall adhere to the following Building Setbacks:
  1. A permanent Pigeon Loft Shall maintain a structural setback of twenty-five (25) feet.
  2. A Portable Loft, less than thirty-two (32) square feet in size, specifically built to hold less than twelve (12) live birds in confinement and not permanently affixed to the ground or any other Structure is exempt from permitting and setback requirements.
- c. The number of Pigeons and maximum size of the loft is limited as follows:
  1. Parcels 1/4 acre or less, no more than fifty (50) Pigeons, maximum pigeon loft size Shall be eighty (80) square feet.
  2. Parcels 1/4 to 1/2 acre, no more than sixty (60) Pigeons, maximum pigeon loft(s) size Shall be two hundred (200) square feet.
  3. Parcels 1/2 acre to one (1) acre, no more than one hundred (100) Pigeons, maximum loft(s) size Shall be three hundred (300) square feet.
  4. Parcels over one (1) acre, no more than two hundred (200) Pigeons, maximum

loft(s) size four hundred (400) square feet.

5. There Shall be at least (1) square foot of floor space in any loft for each Pigeon six (6) months of age or older kept therein.
  6. Husbandry of fewer than twelve (12) birds Shall be exempt from minimum loft size in this Section, but Shall not be exempt from minimum Building Setbacks in Section 3.01.04.22.b.1 if larger than thirty-two (32) square feet in size.
- d. Special precautions Shall be taken for the removal or storage of Pigeon excrement:
1. Compost piles Shall not be located within fifty (50) feet of any well.
  2. Compost piles or storage containers Shall be covered at all times.
  3. Reasonable precautions Shall be taken to prevent an environment suitable for pathogens that cause public health hazards such as psittacosis, cryptococcosis, and histoplasmosis. Occurrence of any the aforementioned illnesses to the Property owner or a member of his/her family Shall be reported to the Lake County Health Department.
- e. Pursuant to Section 9.07.00 of the Lake County Land Development Regulations, the Property owner Shall be subject to the general requirements and construction standards regarding placement of a Pigeon Loft within a Special Flood Hazard Area.
- f. Pigeon Lofts are prohibited on Property within runway clear zones or on Property adjacent to active local and regional airports and airstrips.
- g. The construction and location of the loft Shall comply with all applicable County, state, and federal laws.
- h. A Portable Pigeon Loft as defined in this Code Shall be exempt from Building permitting requirements.
23. Exotic Animals. All appropriate federal and state permits shall be required in addition to the Conditional Use Permit.
24. Heavy Industrial Uses. Heavy Industrial Uses Shall only be Permitted as shown in Table 3.01.03 Schedule of Permitted and Conditional Uses. Conditional Use approval Shall be required where properties used for Heavy Industrial Uses are located within five hundred (500) feet of the property line of a residential area. The following conditions Shall apply to Heavy Industrial Uses in these locations:
- a. A minimum setback of one hundred (100) feet Shall be required for all Buildings, Structures, outdoor storage areas, and areas for operation of vehicles and

equipment from the property line of adjacent Residential and PUD Zoning District.

- b. All development Shall comply with the Lake County Noise Ordinance.
- c. Hours of Operation may be limited where properties used for Heavy Industrial Uses are located within five hundred (500) feet of the property line of a Residential or PUD Zoning District, based upon the nature of the proposed use and its relationship to surrounding Residential Land uses.
- d. Outside storage of materials Shall be screened so they are not visible from rights-of-way or adjacent Parcels, unless it is another industrial use in accordance with Section 3.05.00. Soil-like materials that can generate dust shall be located in three-sided walled enclosures that are a minimum of ten (10) feet in height. The opening of the enclosure Shall not be visible from rights-of-way or adjacent parcels.
- e. The following standards Shall be maintained:
  - i) All on-site travel ways and maneuvering lanes must be paved, watered, and swept as necessary to achieve maximum control of dust emissions.
  - ii) During operations, all stockpiles of materials with the potential of generating dust must be sprayed with water, oil or other solution meeting Best Management Practices, as necessary to achieve maximum control of particulate emissions.
  - iii) Measures to clean up spilled materials must begin within thirty (30) minutes of spillage to contain or dampen the material so that disturbance from wind, erosion and/or vehicle traffic are minimized.
- f. Lighting. Lighting shall conform with the requirements of Section 3.09.00.

3.01.05 Similar uses. Other similar uses, not specifically listed and not more obnoxious or detrimental than the uses listed in Subsection 3.01.03, may be Permitted in the Commercial, Industrial, Agricultural, and Community Facility Zoning Districts after review and approval by the County Manager or designee. (Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2004-1, §§ 3--5, 1-6-04; Ord. No. 2004-39, § 1, 6-15-04; Ord. No. 2005-104, § 2, 12-6-05; Ord. No. 2006-104, § 2, 10-3-06; Ord. No. 2007-62, § 2, 12-18-07; Ord. No. 2008-16, §§ 3--5, 4-15-08; Ord. No. 2009-29, § 2, 6-2-09)

### **3.02.00 Bulk Regulations.**

#### 3.02.01 Lot of Record.

##### A. Generally.



1. A Lot of Record Shall be issued a Building Permit if the Lot of Record meets the requirements of Subsections 3.02.01A.1.a, 3.02.01.A.1.b., OR 3.02.01.A.1.c:
    - a. If a Lot of Record:
      1. Is not in the Wekiva River Protection Area;
      2. Meets the minimum Lot size requirements of the Land Use Category on the Future Land Use Map in the March 2, 1993 Comprehensive Plan, excluding open water bodies;
      3. Meets the minimum Lot size requirement of 12,500 square feet;
      4. Fronts on a publicly maintained Road; and
      5. Adheres to the requirements of Subsection 3.02.01.B and 3.02.01.E;
    - b. If a Lot of Record:
      1. Is in the Wekiva River Protection Area;
      2. Meets the minimum Lot size requirement of the zoning category in place on March 12, 1990, or 12,500 square feet, whichever is greater, excluding open water bodies;
      3. Fronts on a publicly maintained Road; and
      4. Adheres to the requirements of Subsections 3.02.01.B, and 3.02.01.E.
    - c. If a Lot of Record adheres to all of the requirements of Subsections 3.02.01.B through 3.02.01.E.
  2. The minimum Lot size requirement for the Suburban and Transitional Land Use Categories Shall be one (1) acre.
  3. Notwithstanding Subsections 3.02.01.A.1, if a Final Lot of Record Determination was issued prior to November 16, 1993, then a Building Permit Shall be issued for the Lot of Record if the requirements of Subsections 3.02.01.B, and 3.02.01.E are met.
  4. Notwithstanding Subsections 3.02.01.A.1, if a Final Lot of Record Determination was issued on or after November 16, 1993, then a Building Permit Shall be issued for the Lot of Record if the requirements of Subsection 3.02.01 are met.
- B. Septic Tanks and Sewage Disposal Systems. A Lot of Record of any size which meets the

minimum Lot size requirements of Chapter 10D-6, Florida Administrative Code, Shall be allowed.

- C. Road Requirement. A Lot of Record created by a recorded plat must have Road Frontage of at least forty (40) feet.
- D. Aggregation of Lots.
  - 1. Except Wekiva. In addition to meeting Subsection 3.02.01.D.3, an Applicant Shall adhere to the Subsection which produces the least density of Subsections 3.02.01.D.1.a., 3.02.01.D.1.b, or 3.02.01.D.1.c.
    - a. If Abutting Lots of Record were under common ownership as of March 2, 1993, then as many of the Abutting Lots of Record as necessary Shall be aggregated so that the aggregated Lots of Record are consistent with the Lot size requirements of the Land Use Category on the Future Land Use Map in the March 2, 1993 Comprehensive Plan. If all of the aggregated Lots of Record do not meet the Lot size requirements of the Land Use Category on the Future Land Use Map in the March 2, 1993 Comprehensive Plan, then only one Building Permit Shall be issued.
    - b. If a Lot of Record fronts on a publicly maintained Road and Abutting Lots of Record were under common ownership as of March 2, 1993, then as many of the Abutting Lots of Record as necessary Shall be aggregated so that the aggregated Lots of Record meet the minimum Lot size of 12,500 square feet, excluding open water bodies. If all of the aggregated Lots of Record do not meet the minimum Lot size of 12,500 square feet, excluding open water bodies, then only one Building Permit Shall be issued.
    - c. IF (1) a Lot of Record does NOT front on a publicly maintained Road and (2) Abutting Lots of Record were under common ownership as of March 2, 1993, THEN as many of the Abutting Lots of Record as necessary Shall be aggregated so that the aggregated Lots of Record meet the minimum Lot size of five (5) acres, excluding open water bodies. If all of the aggregated Lots of Record do not meet the minimum Lot size of five (5) acres, excluding open water bodies, then only one Building Permit Shall be issued.
    - d. Example One. If, on March 2, 1993, a Person owned twenty-five (25) Lots of Record, each containing 1,000 square feet, zoned R-1 (formerly RR), in Urban Future Land Use Category, and all were on a publicly maintained Road, then no more than two (2) Building Permits Shall be issued.  $(25,000/12,500 = 2)$ .
    - e. Example Two. If, on March 2, 1993, a Person owned twenty-five (25) Lots of Record, each containing 1,000 square feet, zoned R-1 (formerly RR), in Rural Future Land Use Category, and all were on a publicly maintained Road, then only

one (1) Building Permit Shall be issued. (25,000 square feet is less than five (5) acres).

f. Example Three. If, on March 2, 1993, a Person owned twenty-five (25) Lots of Record, each containing 1,000 square feet, zoned R-1 (formerly RR), in Urban Future Land Use Category, and none were on a publicly maintained Road, then only one (1) Building Permit Shall be issued. (Nonpublicly maintained Road less than five (5) acres = one Building Permit).

2. Wekiva. In addition to meeting Subsection 3.02.01.D.3, an Applicant Shall adhere to the Subsection which produces the least density of Subsections 3.02.01.D.2.a. or 3.02.01.D.2.b.
    - a. If a Lot of Record fronts on a publicly maintained Road and Abutting Lots of Record were under common ownership as of March 2, 1993, then as many of the Abutting Lots of Record as necessary Shall be aggregated so that the aggregated Lots of Record meet the minimum Lot size of the zoning district in place on March 12, 1900 or 12,500 square feet, whichever is greater, excluding open water bodies. If all of the aggregated Lots of Record do not meet the Lot size requirements of the zoning district in place on March 12, 1900 or 12,500 square feet, whichever is greater, excluding open water bodies, then only one Building Permit Shall be issued.
    - b. If a Lot of Record does NOT front on a publicly maintained Road and Abutting Lots of Record were under common ownership as of March 2, 1993, then as many of the Abutting Lots of Record as necessary Shall be aggregated so that the aggregated Lots of record meet the minimum Lot size or five (5) acres, excluding open water bodies. If all of the aggregated Lots of Record do not meet the minimum Lot size of five (5) acres, excluding open water bodies, then only one Building Permit Shall be issued.
  3. Prior to the date that a Final Lot of Record Determination or Building Permit is issued, the owner Shall execute and Lake County Shall record in the Public Records of Lake County, at the owner's cost, a legal document prohibiting the subdivision of the aggregated Lots.
  4. Lake County Shall determine whether Lots of Record were under common ownership as of March 2, 1993, by utilizing the 1992 Lake County Tax Roll. If the owner of a Lot of Record can produce a deed that was recorded in the Public Records of Lake County after the 1992 Lake County Tax Roll was published and prior to March 2, 1993, then Lake County Shall rely of the recorded deed to determine common ownership.
- E. Road Dedication and Special Assessment. Prior to the date that a Final Lot of Record Determination or Building Permit is issued, the property owner Shall comply with Subsection 9.04.03.B and execute a legal document wherein the property owner agrees to be subject to a

special Assessment for Road Improvements, including dedication of required Right-of-Way consistent with Lake County's Road Policy. Lake County Shall record said document in the Public Records of Lake County, at the owner's cost. The dedication of the required Right-of-Way Shall not affect the calculations for aggregation of Lots or setbacks. For example, if a twenty-five (25) foot by one hundred (100) foot Lot is required to dedicate one (1) foot of Right-of-Way, the Lot Shall still be considered to have two thousand five hundred (2,500) square feet ( $25 \times 100 = 2,500$ ), not two thousand four hundred (2,400) square feet ( $24 \times 100 = 2400$ ) AND the Lot Shall still be considered to have a length of one hundred (100) feet, not ninety-nine (99) feet.

- F. Exception to Lot of Record Definition. If a Lot does not meet the Lot of Record definition set out in Chapter 2, the County Manager or designee may determine that if a deed was executed, witnessed, and notarized prior to May 20, 1981, and created a parcel of Land by metes and bounds, but the deed was not recorded in the Public Records of Lake County until May 20, 1981, or later, the Lot is a Lot of Record.

### 3.02.02 Density.

- A. Generally. The Density is the relationship between the number of Dwelling Units on a site and the Base Site Area. Table 3.02.06 sets forth the maximum Density for each zoning district.
- B. Urban Area Residential Density Point System. The Lake County Comprehensive Plan establishes an Urban area residential Density point system to guide the determination of Density in the Urban, Urban Expansion, and Suburban Land Use districts as depicted in the Lake County Future Land Use Map. Therefore, the maximum allowable Density in the Urban, Urban Expansion, and Suburban areas is determined by the zoning district regulations and the Density point system. This point system is set forth in section 3.03.00. The methodology for determining maximum Density in the Urban, Urban Expansion, and Suburban areas is set forth in section 3.03.02.
- C. Septic Tanks. Septic Tanks Shall be approved in accordance with Chapter 10D-6, Florida Administration Code.
- D. Sanitary Facilities. All water supply and sewerage disposal facilities Shall conform to the regulations of the Lake County Health Department and/or Florida Sanitary Codes.

### 3.02.03 Floor Area Ratio.

- A. Generally. A Floor area ratio is a measurement of the Intensity of Development on a site. For purposes of these regulations, Floor area ratios (FAR) are provided only for non-residential Development.
- B. Calculating Floor Area Ratio. The Floor area ratio is the relationship between the total Floor area on a site and the Base Site Area. The FAR is calculated by adding together all Floor areas of all Floors and dividing this total by the Base Site Area. Table 3.02.06 sets forth the maximum Floor area ratio for nonresidential Development within each zoning district.

#### 3.02.04 Impervious Surface Ratio.

- A. Generally. An Impervious Surface ratio is a measurement of the amount of the Base Site Area that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped Land. Impervious Surfaces include, but are not limited to roofs and Roads, sidewalks and parking Lots paved with asphalt, concrete, compacted sand, limerock or clay. The Impervious Surface ratios (ISR) in Table 3.02.06 are applicable to both residential and nonresidential Development.

#### 3.02.05 Setbacks.

- A. Required Setbacks. The Zoning District Regulations establish the required setbacks.
- B. Minimum Setbacks on Side and Rear Yards.
  - 1. If the distance from the exterior wall to the property line is less than five (5) feet, the Applicant must show evidence of a Maintenance Easement granted by adjacent property owners.
  - 2. The structure may be built on the property line provided the Owner Shall grant an Attachment Easement to the adjacent property owner(s).
- C. Minimum Setbacks Between Buildings.
  - 1. Distance Shall be measured at the narrowest space between structures, whether a Principal Structure, an allowable attachment, or an Accessory structure, and Shall not include the roof overhang (eave).
  - 2. The maximum distance that a roof overhang Shall be Permitted to extend into a setback is the lesser of the following.
    - a. Four (4) feet.
    - b. Fifty (50) percent of the distance between a structure and the property line.
- D. Average Front Setbacks. Existing structures may be used to establish an average setback in areas where existing structures do not conform to front setbacks established elsewhere in this Section. Once established by the County Manager or designee, the average front setback Shall be used as the minimum front setback on the side of the street from which existing structures were used to establish the average setback. Average front setbacks may also apply to Corner Lots. Information pertaining to existing structures, within a relevant distance from a proposed structure, Shall be provided by the Applicant, as required by the County Manager or designee, and reviewed for an appropriate fee.
- E. Surface Water Bodies and Wetlands. Setbacks from surface water bodies and Wetlands are

subject to regulations under Chapter VI, Resource Protection Standards.

- F. Docks. The applicable setbacks Shall apply as set out in Chapter X.
- G. Livestock Buildings. See the section on the Keeping of Livestock elsewhere in Chapter III.
- H. Visibility Triangle.
  1. In order to provide clear view of intersecting streets to the motorist in all zoning districts established by this ordinance, there Shall be a triangular area of clear vision formed by two (2) intersecting streets.
  2. On any portion of a Lot that lies within the triangular area described in Subsection 3.02.05.H.3, nothing Shall be erected, placed, planted or allowed to grow in such a manner as to materially impede vision between a height of three (3) feet and eight (8) feet above the Grade at the two (2) street centerlines.
  3. The triangular area Shall be formed by a point on each street centerline located seventy-five (75), one hundred (100) or one hundred fifty (150) feet from the intersection of the street centerlines, as indicated below, and a third line connecting the two (2) points.

Distance from Street Centerline Intersection

Road Classification	Feet
Arterial	150
Collector	100
Local	75

- I. Fences, walls, landscaping, agricultural crops, silvicultural crops, Building appurtenances not within the Visibility Triangle described in Subsection 3.02.05.H, may be placed on the property line with the following restrictions:
  1. Fences, walls, landscaping, agricultural crops, silvicultural crops and Building appurtenances Shall have a minimum setback from the centerline of a traveled Roadway of one-half of the Right-Of-Way width required for the classification of the Road. Minimum Right-Of-Way widths Shall be based upon the classification of the Road, and Shall be in accordance with the following tables (Right-Of-Way widths on State Arterial Roads may vary depending upon FDOT standards):

a. Arterials:

Classification	Minimum Right-Of-Way Width (ft)		
	4-Lane	6-Lane	8-Lane
Freeway	216	240	264
Rural Arterial	200	200	--

Suburban Arterial	174	200	--
Urban Arterial	94	240	--

b. Collector Roads:

Classification	Minimum Right-Of-Way Width (ft)	
	Curb and Gutter	Swales
Major Collector	80	100
Minor Collector	70	80

c. Local Roads:

Classification	Minimum Right-Of-Way Width (ft)	
	Curb and Gutter	Swales
Feeder/Distributor	60	80
Neighborhood Collector	50	66
Local Street	50	66
Cul-de-sac (radius)	50	60

2. Fences, walls, landscaping, agricultural crops, silvicultural crops, Building appurtenances Shall be prohibited from encroaching into a Right-of-Way or Easement for Roads, or drainage, unless specifically required as a condition of a government-issued Permit. The County Manager or designee may allow fences, walls, landscaping, agricultural crops, silvicultural crops, Building appurtenances to be placed temporarily in a Right-of-Way, or Road or drainage easement with a Right-of-Way Utilization Permit, subject to the terms and conditions as approved as approved by the County Manager or designee.
3. Fences, walls, landscaping, agricultural crops, silvicultural crops, Building appurtenances may be placed in utility easements with the understanding that the temporary removal and replacement may be necessary during servicing of the utilities located within said easement.
4. Fences, walls, landscaping, agricultural crops, silvicultural crops, Building appurtenances Shall have an Additional setbacks beyond the setback required in Subsection 3.02.05.E.1 when the County Manager or designee determines that the Public's health, safety, and welfare are threatened.

- J. Buildings, runs, pens, or other Structures used for the purpose of a Kennel or Cattery, or to house, feed, exercise or otherwise maintain a total of five (5) or more cats or dogs Shall maintain a two hundred (200) foot Setback from the nearest Right-of-Way line of any Road, Highway, or adjacent boundary or Property owned by others.

TABLE 3.02.05 - Setback Requirements<sup>1, 3, 4, & 5</sup>

	Front	
Zoning District	Existing Development	New Development
A RA AR R1 R2 R3 R4 R6 R7 R10 RP RM	Property adjacent to state, federal, and County secondary highways Shall maintain a 50-foot setback from the highway ROW for any structure. Property adjacent to Roads other than state, federal, and County secondary highways Shall maintain, for any structure, a setback of 62 feet from the centerline of the Road or 25 feet from the Road ROW, whichever is greater	Property adjacent to state, federal, and County secondary highways Shall maintain a 50-foot setback from the highway ROW for any structure. Property adjacent to Roads other than state, federal, and County secondary highways Shall maintain a 25-foot setback from the ROW for any structure or 50 feet from the centerline of the traveling surface of a prescriptive Road. The side and rear setbacks for a farm Building Shall be 25 feet. In the RP and RM districts, in the case of internal easements for ingress or egress, where such easements have been legally created, the setback Shall be 25 feet from the ROW easement.

FB - Farm Building

SF - Single family

AB - Accessory Building

TABLE 3.02.05 - Setback Requirements<sup>1, 3, 4, & 5</sup>

	Side and Rear	
Zoning District	New Development and Existing Development With Conforming Lots	Existing Development With Nonconforming Lots
A	25 SF 25 FB 25 AB	5 SF 25 FB 5 AB
RA	25 SF 25 FB 25 AB	5 SF 25 FB 5 AB
AR	25 SF 25 FB 25 AB	5 SF 25 FB 5 AB
R1	10 SF 25 FB 10 AB	5 SF 25 FB 5 AB
R2	10 SF 10 AB	5 SF 5 AB
R3	5 SF 5 AB	5 SF 5 AB
R4	5 SF 5 AB	5 SF 5 AB
R6	5 SF 5 AB	5 SF 5 AB
R7	5 SF 5 AB	5 SF 5 AB
R10	5 SF 5 AB	5 SF 5 AB
RP	See Note 2	See Note 2
RM	5 SF 5 AB	5 SF 5 AB



FB - Farm Building

SF - Single family

AB - Accessory Building

Note 1. All setbacks for structures Shall be measured from the exterior wall of the structure or structural component, excluding eaves or overhangs.

Note 2. The Building Line from any rear or side property line Shall be:

- (a) For any Building not exceeding two (2) stories, ten (10) feet.
- (b) For any Building exceeding two (2) stories in height, ten (10) feet plus fifteen (15) feet for each story in excess of two (2).

Note 3. A secondary front yard setback Shall be established for Corner Lots and Double Frontage Lots. The following setbacks Shall apply:

- (a) Ongoing Development - Lots less than seventy-five (75) feet in width Shall maintain a secondary front yard setback of fifteen (15) feet. For Lots of seventy-five (75) feet and greater, a secondary front yard setback Shall be established at twenty-five (25) feet.
- (b) New Development Shall maintain a secondary front yard setback of fifteen (15) feet.

Note 4. The applicable setbacks Shall apply to common private docks as set out in Subsection 10.04.01.

Note 5. See Subsection 3.01.04, Note 1, for the setback for a Livestock Building.

RMRP	See Section 3.02.07
RV	See Section 3.02.08
C1 C2 C3 CP LM HM MP CFD	All buildings Shall be setback no less than 50' from all roads, or ROW easements bounding the project area. However, if there is Existing Development, with existing structures on a block, and all right-of-way, which is required by Lake County, is dedicated to the public, then a setback, computed by the average of the structures on the block, Shall be permitted.

3.02.06 Density, Impervious Surface, Floor Area, and Height Requirements. The minimum Lot size Shall be in

accordance with gross acreage requirements for each zoning district listed in Table 3.02.06.

	Maximum Density* <sup>1</sup>	Maximum FAR* <sup>2</sup>	Maximum ISR* <sup>3</sup>	Height (feet)
A	1 DU/5 AC	.10	.10* <sup>4</sup>	40
RA	1 DU/5 AC	.10	.10* <sup>4</sup>	40
AR	1 DU/2 AC	.20	.25* <sup>4</sup>	40
R1	1 DU/AC	.20	.30* <sup>4</sup>	40
R2	2 DU/AC	.30	.35	40
R3	3 DU/AC	.30	.35	40
R4	4 DU/AC	.40	.45	40
R6	6 DU/AC	.40	.55	40
R7	8 DU/AC	.40	.65	40
R10	10 DU/AC	.50	.65	40
RP	8 DU/AC	.50	.65	40
RM	8 DU/AC	.50	.65	40
RMRP	8 DU/AC	.50	.65	40
RV	Subsection 3.02.08.K	.60	.75	40
A-1-20	1 DU/20 NET AC	.025	.025	40
A-1-40	1 DU/40 NET AC	.0125	.0125	40
Urban Compact Node	5.5 DU/NET AC	.40	.55	40
C1	--	.50	.70	50
C2	--	.70	.70	50
C3	--	1.0	.70	50
CP	--	2.0	.70	50
LM	--	1.0	.70	50
HM	--	1.0	.80	50
MP	--	1.0	.80	50
CFD	--	1.0	.80	50

Note 1. Maximum allowable Density refers to Base Site Area. The maximum allowable Density in the Urban, Urban Expansion, and Suburban areas as depicted on the Lake County Future Land Use Map is determined by the zoning district and by the urban area residential Density point system. See Section 3.03 for determination of maximum Density in these areas.

Note 2. FAR: Floor Area Ratio. FAR applies only to non-residential Development.

Note 3. ISR: Impervious Surface Ratio. ISR applies to both residential and nonresidential Development. A nonconforming Lot which does not meet the minimum Lot size requirement of a zoning district Shall utilize the ISR Category which is closest to the actual area of the non-conforming Lot. For example, a 16,000 square foot Lot in the "A" Agricultural Zoning District would utilize the ISR for the "R-3" Zoning District (.35) rather than the ISR for "A" Agriculture Zoning District (.10).

Note 4. The Maximum ISR may be increased to .65 for a valid Agricultural operation utilizing structures with Impervious Surfaces.

### 3.02.07 Bulk Regulations for the RMRP District.

#### A. Minimum Land Area.

1. All mobile or modular home Lots Shall have a minimum Base Site Area of five thousand (5,000) square feet per Lot.
2. When special design techniques, such as Clustering, are utilized, each mobile or modular home Lot Shall contain a minimum gross Base Site Area of two thousand four hundred (2,400) square feet, and Shall not be placed closer than ten (10) feet to any adjacent mobile home, modular home or Accessory structure or from the edge of the pavement on interior Roads.

B. Setbacks

1. Property adjacent to any federal, state, or County highway, or private Roads, ROW Easements, or Roads Shall maintain a minimum setback of fifty (50) feet from the ROW for any structure.
2. On interior Roads within the park, setbacks for all structural Improvements including, but not limited to fences, trees, shrubbery, etc., Shall not be closer than ten (10) feet from the edge of the pavement.
3. For Master Park Plans approved on or after June 1, 1992, all mobile or modular homes Shall maintain a minimum setback of ten (10) feet from the pavement edge of the interior Roads.
4. For Master Park Plans approved prior to June 1, 1992, all mobile or modular homes Shall maintain a minimum setback of twenty (20) feet from the pavement edge of the interior Roads.

C. Mobile Homes and Modular Buildings in the RMRP zoning district do not have to adhere to the architectural standards set forth under Section 3.01.02.

3.02.08 Bulk Regulations for the RV District.

A. Minimum Land Area: Campgrounds and Recreational Parks Shall contain a minimum of ten (10) acres.

B. Setbacks.

1. There Shall be a setback of one hundred fifty (150) feet from any Road or highway for any commercial Building or Accessory Building.
2. Property adjacent to federal, state or County highways Shall maintain a minimum setback of fifty (50) feet from the highway Right-of-Way for any structure or recreational vehicle space.
3. All recreational vehicles and Additions must maintain a ten-foot setback from other

Additions and recreational vehicles open adjacent spaces.

- C. Screening: The entire park Shall be enclosed by a fence five (5) feet in height, with the exception of that portion fronting on the County or state highway; a Landscaped Buffer zone of five (5) feet in depth Shall be maintained on all sides except Road Frontage.
- D. Space size: Each space Shall contain a minimum of two thousand four hundred (2,400) square feet in area. The Gross Density of existing and future recreational vehicle parks Shall not exceed 8.71 spaces per acre of Land.
- E. Roadways: Each space Shall abut at least twenty (20) feet on a Roadway which Shall have an unobstructed width of twenty (20) feet for two-way drives and twelve (12) feet for one-way drives.
- F. Trash disposal: Adequate trash disposal facilities Shall be provided within easy Access of each site.
- G. Space markers: Each campsite Shall be identified by a marker clearly visible at a minimum distance of twenty (20) feet.
- H. Additions: All Additions on individual spaces must be constructed to Standard Building Codes. Additions are limited to screen rooms, awnings, vinyl windows, and storage sheds.
- I. Building Permits for Additions Shall only be issued to a licensed contractor who has written permission from the owner or manager of the recreational vehicle parking authorizing the Construction or placement of the Addition.
- J. Electricity: Each site Shall meet the County adopted National Electric Code.
- K. Dwelling Units. A maximum of one (1) single-family Dwelling Unit per two hundred fifty (250) RV spaces Shall be Permitted for use by the recreational vehicle park's owner, operator, or Maintenance personnel.

3.02.09 Minimum Structure Size Requirements. All Development Shall comply with the minimum structure size requirements specified in Table 3.02.09.

Zoning District	Minimum Structure Size (sq. ft.)
A	850
RA	850
AR	1000
R1	900
R2	1500
R3	1500
R4	1200
R6	1200
R7	850 or Note 2
R10	850

RM	800
RP	1200 or Note 2

Note 1. 300 square feet of the minimum structure size may include attached screened areas, garages, carports, or utility areas.

Note 2. One (1) two-family or duplex dwelling unit with each unit in the two-family dwelling or duplex containing a minimum of six hundred (600) square feet exclusive of attached screened areas, garages, carports, or utility areas.

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2003-86, § 2, 10-7-03; Ord. No. 2006-92, § 2, 9-5-06; Ord. No. 2007-3, § 2, 1-16-07)

### **3.03.00 Urban Area Residential Density Point System and Timeliness.**

3.03.01 Applicability. The urban area residential Density point system applies to all Land within the Urban, Urban Expansion, and Suburban Land Use districts as established on the Future Land Use Map of the Lake County Comprehensive Plan. The Timeliness Criteria applies to all Land within the Suburban and Transitional Land Use districts as established in the Lake County Comprehensive Plan.

3.03.02 Determination of Maximum Allowable Density in the Urban, Urban Expansion, Suburban and Transitional Areas.

- A. Maximum Allowable Density. The maximum allowable Density for Sites located within the Urban, Urban Expansion, Suburban and Transitional areas on the Lake County Future Land Use Map is determined as outlined below.
  - 1. Urban and Urban Expansion: By the zoning district regulations and the Urban Area Residential Density Chart.
  - 2. Suburban: By the zoning district regulations and the Urban Area Residential Density Chart; subject to Timeliness.
  - 3. Transitional: By the zoning district regulations; subject to Timeliness.
  
- B. Determination of Maximum Allowable Density. The steps to determining the maximum allowable Density are as follows:
  - 1. Determine if the proposed project is subject to Timeliness. The relative timeliness for a proposal for residential Development in the Suburban and Transitional Land Use Classifications Shall be evaluated by the County. If the project is considered to be premature, it Shall not be approved. The presence of any of the following factors indicate that a project is premature:
    - a. There is no functional and proximate relationship between the proposed Development and any other Development;

- b. The proposed Land Use is incompatible with adjacent and adjoining Land Uses, such as Agriculture;
  - c. There is a lack of urban services, including but not limited to police, fire and EMS;
  - d. The adequacy of the collector and arterial Road network is deficient; or
  - e. The degree of Existing Development surrounding the proposed Development is less than:
    - 1. Forty (40) percent Developed within a one (1) mile radius for parcels containing up to 99.99 acres; and
    - 2. Sixty (60) percent Developed within a two (2) mile radius for parcels containing 100.00 or more acres.
  - f. As used herein, "Existing Development" is the amount of area included within parcels which contain:
    - 1. Residential structures at densities equal to or greater than one (1) du/acre or Subdivisions with one (1) acre or smaller Lots which have been built out at least fifty (50) percent; and
    - 2. Non-residential structures, excluding agricultural related structures, including:
      - (1) Roads;
      - (2) Parks; and
      - (3) Other similar Improvements.
  - g. The Density of a Development in an area designated as Suburban or Transitional which is unable to meet this criteria Shall be limited to one (1) Dwelling Unit per five (5) acres.
- C. If appropriate, evaluate the proposed project by using the Urban Area Residential Density Chart (Table 3.03.03) to determine the number of points awarded to the proposed Development.
- D. Use the Urban Area Residential Evaluation Table (Table 3.03.04) to determine the maximum Permitted Density according to the Density point system. This Shall be known as the point system Density.

- E. Determine the maximum Density for the zoning district within which the proposed Development is located (Table 3.02.06). This Shall be known as the zoning district Density.
- F. Compare the maximum Density accorded by the point system to the maximum Density allowed within the zoning district.
1. If the Zoning District Density is greater than the Point System Density, then the maximum allowable Density Shall comply with the Point System Density.
  2. If the Zoning District Density is less than the Point System Density, then the maximum allowable Density Shall comply with the Zoning District Density. However, the property Owner may initiate an application for a zoning change to a zoning district that has a maximum Density comparable to the Density allocated through the urban area residential Density point system in accordance with Section 3.03.03.

**TABLE 3.03.03--URBAN AREA RESIDENTIAL DENSITY CHART**

		Points Awarded
Proximity to a Designated Commercial Activity Center, Commercial Corridor, Municipality or Employment Center	That portion of any property within the following stated distance of a Commercial Activity Center, Commercial Corridor, Municipality or Employment Center designation on the "Future Land Use Plan Map, Lake County - 2005" Shall be subject to this Residential Density Chart:	
	1/8 mile of a Commercial Activity Center: Regional Community Neighborhood Municipal 1/8 mile of a Commercial Corridor 1/8 mile of an Employment Center	25 25 20 25 20 25
	1/4 mile of a Commercial Activity Center: Regional Community Neighborhood Municipal 1/4 mile of a Commercial Corridor 1/4 mile of an Employment Center	25 25 10 25 25 25
	1/2 mile of a Commercial Activity Center: Regional Community Neighborhood Municipal 1/2 mile of a Commercial Corridor 1/2 mile of an Employment Center	20 20 5 20 10 10

	3/4 mile of a Commercial Activity Center: Regional Community Neighborhood Municipal 3/4 mile of a Commercial Corridor 3/4 mile of an Employment Center	15 15 0 15 5 5
	1 mile of a Commercial Activity Center: Regional Community Neighborhood Municipal 1 mile of a Commercial Corridor 1 mile of an Employment Center	10 10 0 10 0 5
Vehicular Access to an Arterial	That portion of any property within the following stated distance of a major State or County roadway as identified on the 2005 Future Transportation Plan (Functional Classification):	
	1/2 mile of an arterial	25
	1/8 mile of collector, within one mile from an arterial	15
	1/8 mile of collector, greater than one mile from an arterial	10
	Less than 2 miles from an arterial via local roads	5
Fire Protection	A fire district having a rating of 6 or better	5
Water Supply	An existing central system/franchise area meeting County Water quality standards with adequate capacity to serve proposed development	5
	Central system	3
	Individual well	0
Sewer Service	An existing wastewater treatment franchise area having a treatment capacity of at least .1 mgd, with adequate reserve capacity and meeting County standards to serve proposed development	5
	Central system	3
	Innovative septic system	1
	Individual septic system	0
Water Reuse	Use of the lowest water quality for irrigation purposes as defined in the Conservation and Public Facilities Element	5



	Water reuse (on or off-site)	5
	Surface water	3
	Surficial aquifer	2
	Potable water	0
Affordable Housing*	100 percent of units classified as affordable housing	30
	30 percent of units classified as affordable housing	20
	20 percent of units classified as affordable housing	15
	10 percent of units classified as affordable housing	10

\*Note: A rental unit is defined as "affordable housing" when the rent is equal to or less than the affordable housing value specified in Policy 5-1.1, Housing Element. An owner unit is defined as "affordable housing" when the purchase price is equal to or less than two and one-half (2.5) times the gross annual income of a lower income family.

### BONUS POINTS

Additional bonus points may be possible under the following conditions:

		Points Awarded
Access to Public Primary and Secondary Schools	That portion of any property within:	
	1/2 mile radius of an existing school linked by sidewalks and/or bicycle paths	5
	1/2 mile radius of an existing school without sidewalks or bicycle paths	4
	1/2 mile radius of a school site	2
	1 mile radius of an existing school linked by sidewalks and/or bicycle paths	4
	1 mile radius of an existing school without sidewalks or bicycle paths	2
	1 mile radius of an existing school site	1
Proximity to Public Parks (10 acre minimum)	That portion of any property within:	
	1/2 mile radius of a developed park	3

	1/2 mile radius of a developed park crossing an arterial or collector	2
	1 mile radius of a developed park without crossing an arterial or collector	1
	1 mile radius of a developed park crossing an arterial or collector	0
	(In all cases regarding proximity to public parks, 1/2 value given for County designated park sites)	
Submission of Project as a Planned Unit	Development, MUQD, or other development that includes innovative design	5
Use of Land Previously Altered (non-native since 1981)		10

Dedication of sites or facilities for Public Safety, Parks and Recreation, and Schools Shall qualify the development to obtain the maximum points allowable for the specified category.

In addition, five (5) bonus points (each) can be awarded if a proposed development provided the following: Mass Transit, Day Care, Passive/educational use of wetlands, restoration of wetlands, mitigation or provision of wild life corridors, and stormwater treatment greater than that required within the stormwater sub-element. Five (5) points (each) can be subtracted for alteration of unaltered (native) lands or encroachment into environmentally sensitive areas. In the event clustering and innovative design are used on native lands, no deduction of points will occur.

The maximum densities allowable in the urban and urban expansion land use categories in areas surrounding municipalities are restricted to 80 percent (rounded to the nearest whole number) of the density of the land located within the adjacent municipality. Adjacency Shall extend to a maximum of two (2) miles from the municipal jurisdictional limit.

Table 3.03.04

Urban Area Residential Density Evaluation Table

Points Scored	Maximum Allowable Density (dwelling units/acre)
86--100	10.0*
76--85	9.0*
66--75	6.0
56--65	5.5
46--55	4.5
31--45	3.5
16--30	2.5
15 or less	1.0

Notes:

\* These densities, i.e., greater than 6 dwelling units per acre, can be obtained only if points have been awarded for Affordable Housing under Item g. of the Urban Area Residential Density Chart.

\* Developers option may be allowed to put in low density.

\* This chart is not applicable in the Wekiva River Protection Area.

(Ord. No. 2003-85, § 2, 10-7-03)

### **3.04.00 Reserved.**

### **3.05.00 Screening for Commercial and Industrial Uses.**

All commercial and industrial uses shall screen their parking area, loading facilities, and storage areas in the following manner:

- A. Non-structural equipment, loading facilities and storage areas Shall be screened on all sides having frontage on Streets, Roads, highways, and easements used for ingress and egress. Parking areas for automotive vehicles other than passenger cars utilized in the operation of the enterprise located thereon Shall be screened in a like manner.
- B. Parking areas, non-structural equipment loading facilities, and storage areas Shall be screened on all sides abutting a Residential Zoning District.
- C. Screening Shall include a continuous and consistent Fence or Wall constructed of a substantial and durable material such as concrete blocks, preformed concrete, wood, or similar type material of up to twelve (12) feet, of sufficient height and design so as to effectively hide from view any material or vehicles located behind such fence or enclosure. Such views, however, Shall not be considered as applying to the overview portion of elevated Highways, airplanes, helicopters, etc.
- D. Screening Shall be required between heavy industrial uses and residential uses at a height of eight (8) to twelve (12) feet along the property line between the uses.
- E. The display of goods such as automobiles, furniture, mobile homes, and similar uses, are exempted from screening along the road right-of-way.

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2008-16, § 6, 4-15-08)

**3.06.00 Regulations for the Parking, Storing, or Keeping of Boats, Buses, Trailers, Trucks, and Commercial Vehicles in the "A" Agriculture, "RA" Ranchette, "AR" Agricultural Residential, "R-1" Rural Residential, "R-2" Estate Residential, "R-3" Medium Residential, "R-4" Medium Suburban Residential, "R-6" Urban Residential, "R-7" Mixed Residential, "R-10" Multifamily Residential, "RP" Residential Professional, "RMRP" Mobile Home Rental park, "RM" Mobile Home Residential, and "RV" Recreational Vehicle Zoning Districts.**

3.06.01 Purpose and Intent. The following regulations in Section 3.06 Shall apply to the "A" Agriculture, "RA" Ranchette, "AR" Agricultural Residential, "R-1" Rural Residential, "R-2" Estate Residential, "R-3" Medium Residential, "R-4" Medium Suburban Residential, "R-6" Urban Residential, "R-7" Mixed Residential, "R-10" Multifamily Residential, "RP" Residential Professional, "RMRP" Mobile Home Rental Park, "RM" Mobile Home Residential, and "RV" Recreational Vehicle Zoning Districts. The intent of this Section is to provide regulations specifying the types of vehicles that may be parked, stored or kept in zoning districts that are primarily residential districts. No vehicle Shall be parked, stored or kept on any lot or parcel or on any public street, avenue, alley, or other thoroughfare or any Right-of-Way therewith, within any of the zoning districts listed herein unless authorized by this Section. No vehicle Shall be parked on any vacant lot or parcel of land within any of the zoning districts listed herein, except in cases in which such lot or parcel is contiguous to the residence of the owner or user of such vehicle. In such case the lot containing the residence and the vacant lot Shall be considered one parcel for purposes of this section.

3.06.02 Classification of Vehicles. In case of doubt to proper classification of a specific vehicle, the determination by the Motor Vehicle Department of the State of Florida Shall be used to make the final determination. The body description and classification on the motor vehicle certificate of title Shall be "prima facie" evidence of such determinations. In case of doubt as to the "Gross Vehicle Weight Rating" (GVWR) of any vehicle, the manufacturer's specifications Shall be used to make the final determination.

3.06.03 Permitted Parking. The following types vehicles are permitted to park in the zoning districts listed in 3.06.01 provided they meet the specific conditions of any one or more of the paragraphs listed herein:

- A. Any vehicle with a "Gross Vehicle Weight Rating" (GVWR) of 12,000 lbs. or less. Trailers Shall not be parked on any public street, avenue, alley, or other thoroughfare or any right-of-way therewith and Shall be parked in such a way to meet the single family front and secondary front yard setbacks established by Chapter 3 of the Land Development Regulations;
- B. In cases where a lot or parcel is five (5) acres or greater in size, one (1) vehicle which exceeds 12,000 lbs. GVWR may be parked on such lot or parcel if it is used by the resident of the lot or parcel. If such vehicle is a trailer, the vehicle which is used to transport such trailer may also be parked on such lot or parcel, even if it exceeds 12,000 lbs. GVWR. Unless permitted by another section of this Code, no vehicle with a GVWR of 12,000 lbs. or more Shall be parked, stored, or kept on any public street, avenue, alley, or other thoroughfare or any right-of-way therewith, within any of the zoning districts listed in 3.06.01 above.
- C. Any vehicle which is temporarily parked on a lot or parcel, or road or right of way adjacent thereto, whereon construction is underway for which a current and valid building permit or other development order has been issued by Lake County where such vehicle is being used in such construction.
- D. Any vehicle which is making routine deliveries to or pickups from a residence or occupant of a lot or parcel, or a vehicle which is making a legitimate service call to a residence or occupant of a lot or parcel.

- E. Any vehicle which becomes disabled during operation. Any such vehicle Shall be removed within twenty-four (24) hours by towing if necessary, regardless of the nature of the breakdown.
- F. Any vehicle owned by government or a public utility such as electric, telephone, gas, or cable television company that is being used for service or repair on Construction projects.
- G. Any vehicle owned by government or a public utility such as electric, telephone, gas, or cable television company, that is required by the government or utility company to be driven home by an employee of such government or utility company because such vehicle may be needed for after hours emergencies.
- H. Any vehicle involved in ongoing, bona fide agricultural operations on such lot or parcel, such as the harvesting of citrus.
- I. Boats or recreation vehicles may be parked on a lot or parcel, subject to the following restrictions and conditions:
  - a. Such boat or recreation vehicle must be owned by or used by a resident of the lot or parcel;
  - b. Such boat or recreation vehicle must be parked in such a way to meet the single family front and secondary front yard setbacks established by Chapter 3 of the Land Development Regulations;
- J. Boats or recreation vehicles may be parked on a lot or parcel other than pursuant to subparagraph I above for a twenty-four (24) hour period for loading or unloading purposes. Such parking for unloading and loading on any lot or parcel Shall not occur more than four (4) times in any one calendar month.
- K. Recreational vehicles and vehicles normally used to tow recreational vehicles may be are parked in the "RV" Recreational Vehicle zoning district.

(Ord. No. 2003-85, § 2, 10-7-03)

### **3.07.00 Adult Entertainment Establishments.**

3.07.01 Locational Criteria. In addition to those requirements for Adult Entertainment Establishments set forth in Article IV, Chapter 3, of the Lake County Code, Adult Entertainment Establishments Shall comply with the following locational criteria:

- 1. Zoning. Notwithstanding any other provision herein, or any other provision of the County Code or Land Development Regulations, no person Shall propose, cause or permit the operation of, or enlargement of (except when required by law), an Adult Entertainment Establishment, as defined in Article I, Chapter 3, of the Lake County Code, unless the establishment would or will be located in a C-2 or CP zoned district where Adult Entertainment Establishments are allowed with a Conditional Use Permit.

2. Distance Minimums. In addition to the zoning requirements set forth in above, an adult entertainment establishment Shall not be allowed to open, operate, or be enlarged (except when required by law) within any of the following distances:
  - a. One thousand five hundred (1,500) hundred feet of a preexisting religious institution;
  - b. One thousand five hundred (1,500) hundred feet of a preexisting educational facility;
  - c. One thousand five hundred (1,500) hundred feet of an area zoned within the County or municipality as a residential district as defined by each governmental entities respective zoning Code;
  - d. One thousand five hundred (1,500) hundred feet of the property line of a preexisting residential use; or
  - e. One thousand five hundred (1,500) hundred feet of a preexisting park.
3. Enlargement. In this subsection the term "enlargement" includes, but is not limited to, increasing the floor size of the establishment by more than ten (10) percent.
4. Supplemental to Alcoholic Beverage Regulations. The zoning and distance requirements of this section are independent of and do not supersede the distance requirements for alcoholic beverage establishments which may be contained in other laws, rules, ordinances or regulations.

3.07.02 Measurement of Distance. The distance from a proposed Adult Entertainment Establishment to a preexisting Adult Entertainment Establishment, a preexisting religious instituting, a preexisting educational institution, an area zoned for Residential Use, a preexisting residential unit, a preexisting park, or a preexisting commercial establishment that sells or dispenses alcohol for on-premises consumption Shall be measured by drawing a straight line between the closest Property lines of the proposed Adult Entertainment Establishment and the preexisting Adult Entertainment Establishment, the preexisting religious instituting, the preexisting educational institution, an area zoned for residential use, an area designated on the future land use map as residential, the preexisting single family dwelling unit, the preexisting park, or the preexisting commercial establishment that sells or dispenses alcohol for on-premises consumption.

3.07.03 Nonconforming Uses. Any adult entertainment establishment existing prior to adoption of the Lake County Adult Entertainment Code and not meeting all requirements of the Lake County Adult Entertainment Code Shall be considered a nonconforming use.  
(Ord. No. 2003-85, § 2, 10-7-03)

### **3.08.00 Cemeteries.**

A. Adequate means of ingress and egress Shall be provided for vehicles so that traffic along adjacent Roads is not Blocked or unduly congested while funeral processions are entering or leaving the cemetery.

B. Setbacks for grave Lots from the nearest property line adjacent to the Right-of-Way line of any public street, County Road, secondary or primary state or federal Road or highway Shall be one hundred (100) feet.

C. Setbacks for grave Lots Shall be five (5) feet from any property not within the approved boundaries of the cemetery.

D. A Landscaped Buffer strip five (5) feet in depth Shall be provided around all sides of the cemetery not fronting a Road.

E. Section 3.08 Shall only apply to new cemeteries and new sections of existing cemeteries Permitted after February 15, 1993.  
(Ord. No. 2003-85, § 2, 10-7-03)

**3.09.00 Lighting.**

All lighting fixtures Shall be designed and arranged so as not to interfere with the enjoyment of neighboring properties, residents, or the safety of neighboring Roads. The amount of light which radiates from a source and crosses a residential or agricultural Lot Line Shall not exceed two tenths (0.2) of one (1) foot candle as measured by an illuminance or foot candle meter from the residential or agricultural Lot Line.  
(Ord. No. 2003-85, § 2, 10-7-03)

**3.10.00 Road Frontage.**

All Lots created pursuant to Subsections 14.11.01 and 14.11.02 Shall have the minimum Frontage at both the Road and Building Setback Line as specified in Table 3.10.00.

Zoning District	Frontage (feet)	
A-1-40	150	
A-1-20	150	
A	150	
RA	150	
AR	150	
R-1	100	
R-2	80	
R-3	75	
R-4	50	
R-5	50	
R-6	50	
R-10	50	
RM	50	
RP	50	

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2007-2, § 2, 1-16-07)

### **3.11.00 Nonconforming Uses and Development.**

3.11.01 Defined. The following provisions apply to Nonconforming Uses and Development as defined in Chapter II.

3.11.02 Normal Maintenance. Normal maintenance and incidental repair of a lawful nonconformity Shall be Permitted provided that such maintenance and repair does not violate any other Section of these Regulations and is in full compliance with all Building and technical codes adopted by Lake County.

3.11.03 Continuation of Nonconforming Uses and Development. Subject to the provisions below for terminating Nonconforming Uses and Development, such uses and Development may, if otherwise lawful, remain in use in their nonconforming state.

3.11.04 Termination of Nonconforming Uses and Development.

A. Generally. Nonconforming Uses and Development Shall be brought into full compliance with the other requirements of Chapters III, VI, VII, VIII, IX, X, and XI of these Regulations, in conjunction with the following activities:

1. Any expansion, change, enlargement, or alteration of a use or Development in any way which increases its nonconformity. This Shall not be construed to include normal maintenance and incidental repair (e.g., painting, providing for a new roof, rescreening an existing porch, etc).
2. Reconstruction of the Principal or Accessory Structure after the Structure has been substantially destroyed by fire or other natural disaster. A structure is "substantially destroyed" if the cost of reconstruction is fifty (50) percent or more of the fair market value of the Structure before the fire or natural disaster. If there are multiple Principal Structures on a site, the cost of reconstruction Shall be compared to the combined fair market of all the Structures. A nonconforming use may continue if, within two (2) years from the date that the Principal Structure was substantially destroyed, a Certificate of Occupancy is issued for the rebuilt Principal Structure.
3. Structural Alteration, as defined in Chapter II.
4. Any change in the use of the property, whereby a change from one Use Classification identified in Subsection 3.01.03 to another Use Classification constitutes a change in the use of the property. This Shall not be construed to include normal maintenance and incidental repair (e.g., painting, providing for a new roof, rescreening an existing porch, etc.).
5. The discontinuance of any use (excluding the uses specified in Section 3.11.04.A.6) or Development for twelve (12) consecutive months or the registration of a business tax receipt for which the expiration has exceeded one (1) year.
6. The discontinuance of any agricultural uses (not requiring a CUP) for fifteen (15) consecutive



years.

B. Special Provisions For Specific Nonconformities.

1. Nonconforming Signs.

- A. Existing Signs that do not conform to the provisions of Chapter XI of the Land Development Regulations may be eligible for the designation of "legal nonconforming" provided that the Sign(s) were lawfully installed.
- B. A nonconforming Sign may be continued and Shall be maintained in good condition, but Shall not be:
  - 1. Structurally or mechanically extended or changed to expand the nonconformity.
  - 2. Repaired or rebuilt when destroyed or damaged to the extent of fifty (50) percent or more of its replacement value, except in conformity with this Code.
  - 3. Nonconforming status Shall not be granted to any Sign erected without the required permit issued by the County, State, or any Federal agency before or after the enactment of this Code, or to any preexisting signs which have been illegally installed, constructed, placed, or maintained.
  - 4. Another nonconforming Sign Shall not replace a nonconforming permanent on-premise or off-premise Sign with the exception of substitution or interchange of letters, painted boards, or dismountable material.
  - 5. No permits Shall be issued for electrical or mechanical work for a nonconforming Sign unless there is a present safety hazard.
- C. For the purpose of this section, existing ground signs Shall be deemed to be conforming signs for the purpose of continued use.
- D. If the provisions of 479.15(3)--(6), Florida Statutes, would apply to a sign, a hearing Shall be held before the Board of County Commissioners for the purpose of determining whether the Owner of the Nonconforming Sign is permitted to relocate the Sign or whether the County will compensate the Owner for its removal. The Board's determination Shall be based upon the amount of just compensation due the Owner, the current location of the Sign, the proposed relocation site, and any other factors applicable to the removal of the Sign.

- 2. Wireless Communication Towers. Existing non-conforming communications towers, excluding Amateur Radio Towers and Receive Only Antennas, may be modified or rebuilt to accommodate co-location of additional communications antennas without a public hearing provided there is no increase in height. The modified or rebuilt tower must be the same type as the previously existing

tower and there must be an executed written agreement showing there will be at least one (1) additional user utilizing the tower upon rebuild or modification.

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2007-27, § 13, 6-5-07; Ord. No. 2009-21, § 2, 4-21-09)

### **3.12.00 Bed and Breakfast Establishments.**

3.12.01 Purpose. The purpose of this Section is [to] provide criteria for Bed and Breakfast Establishments in specified zoning districts.

3.12.02 Bed and Breakfast Inn Standards. A Site and Development Plan Shall be required for the approval of all Bed and Breakfast Inns, and said Site and Development Plan Shall address and conform to the following standards.

A. Parking.

1. Adequate off-street parking Shall be provided for each guest room as well as the host accommodations.
2. Parking areas may be lighted for security purposes; however, all lighting Shall be directed away from adjacent properties;
3. Guest parking areas Shall be located to be screened from view of adjacent properties as well as view from the Roadway providing Access.

B. Signage. All signs Shall comply with Chapter XI of the Land Development Regulations.

C. Structure Design.

1. Guest rooms Shall be part of the primary structure or the Principal Accessory Structure with primary Access from an interior hallway or room of the Building, unless other Access is required for emergency egress.
2. When rehabilitation or expansion is sought, the exterior appearance of the primary structure Shall maintain a character consistent with the character of the surrounding properties.
3. An interior kitchen and dining facility Shall be utilized, and cooking Shall not be allowed in any of the guest rooms.
4. Any room Additions or primary structure expansions Shall be compatible with the existing architectural style of the Building.

D. Site Design.

1. The Site Shall be designed with adequate ingress and egress to accommodate traffic

generated by the guests and host.

2. The Site Shall be designed to maintain appearance, character, and integrity of the property consistent with the surrounding property.
3. Adequate screening and buffering Shall be required to minimize any adverse effects to adjacent properties.

E. Compliance with Other Laws.

1. Compliance with the Lake County Comprehensive Plan and Land Development Regulations Shall be required.
2. Compliance with all fire safety code, Building codes, state energy codes and state accessibility codes Shall be required.
3. Compliance with the requirements of the State of Florida, Department of Health and Rehabilitative Services, Shall be required.
4. The property Owner Shall obtain all required business tax receipts prior to commencing operation.

3.12.03 Bed and Breakfast Home Standards. A Site and Development Plan Shall be required for the approval of all Bed and Breakfast Homes, and said Site and Development Plan Shall address and conform to the following standards.

A. Parking.

1. Adequate off-street parking Shall be provided for each guest room as well as the host accommodations.
2. Parking areas may be lighted for security purposes; however, all lighting Shall be directed away from adjacent properties.
3. Guest parking areas Shall be located to be screened from view of adjacent properties as well as view from the Roadway providing Access.

B. Signage. All signs Shall comply with Chapter XI of the Land Development Regulations.

C. Structure Design.

1. Guest rooms Shall be part of the primary structure with primary Access from an interior hallway or room of the Building, unless other Access is required for emergency egress.
2. When rehabilitation or expansion is sought, the exterior appearance of the primary

structure Shall maintain a residential character consistent with the character of the surrounding properties.

3. Kitchen and dining facilities used by the primary resident Shall be utilized by the guests, and cooking Shall not be allowed in any of the guest room.
4. Any room Additions or primary structure expansions Shall be compatible with the existing architectural style of the Building.

D. Site Design.

1. The Site Shall be designed with adequate ingress and egress to accommodate traffic generated by the guests and host.
2. The Site Shall be designed to maintain appearance, character, and integrity of the property consistent with the surrounding property.
3. Adequate screening and buffering Shall be required to minimize any adverse effects to adjacent properties.

E. Compliance with Other Laws.

1. Compliance with the Lake County Comprehensive Plan and Land Development Regulations Shall be required.
2. Compliance with all fire safety code, Building codes, state energy codes and state accessibility codes Shall be required.
3. Compliance with the requirements of the State of Florida, Department of Health and Rehabilitative Services, Shall be required.
4. The property Owner Shall obtain all required business tax receipts prior to commencing operation.

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2007-27, §§ 14, 15, 6-5-07)

**3.13.00 Wireless Antennas, Towers, and Equipment Facilities.**

3.13.01 Purpose and Intent. The purpose and intent of these regulations is to:

- A. Adapt to the growing need for wireless communication antennas and towers by being able to act upon requests to place, construct and modify any Wireless Communications Antenna and/or Tower within a reasonable amount of time.
- B. Reasonably accommodate amateur Communications, and to represent the minimum practicable Regulation thereof.

- C. Protect existing Land Uses from potential adverse visual impacts through sound planning, careful review of applications, proper permitting and adherence to appropriate Regulations.
- D. Allow for Wireless Communications competition following the adoption of the Federal Telecommunications Act of 1996.

These Regulations are intended to accomplish this goal through careful design, Siting, Landscape Screening and the encouragement of innovative camouflaging techniques.

3.13.02 Compliance with Other Laws and Regulations. All Communications Towers, Antennas, and Equipment Shall comply with:

- A. The Lake County Comprehensive Plan and Land Development Regulations.
- B. All applicable fire safety codes, building codes, and technical codes adopted by Lake County.
- C. All applicable Federal and State Regulations.
- D. Evidence of compliance with FAA requirements Shall be submitted where applicable. This evidence Shall include a copy of the submitted FAA Form 7460-1, attachments submitted with the form, and a copy of any FAA responses.

3.13.03 Structural Design.

- A. All Communications Towers must be designed so that in the event a Communications Tower falls, it Shall collapse only within the property lines of the Lot on which the Communications Tower is located. No Building Permit Shall be issued unless the applicant provides verification of compliance from an engineer registered by the State of Florida.
- B. To ensure the structural integrity of Wireless Communications Towers, the owner of a Wireless Communications Antenna and/or Tower Shall ensure that it is constructed and maintained according to TIA/EIA-Standard 222, as amended from time to time, ASCE-7, as amended from time to time, and all County adopted construction/ building codes. No building permit Shall be issued unless the applicant submits site plans sealed and verified by an engineer licensed in the State of Florida that proves compliance with the adopted structural codes in effect at the time of said improvement or addition.
- C. Camouflaged Wireless Communications Structures.
  - 1. Camouflaged Wireless Communications Structures designed to blend in with the existing built or Natural Environment are exempt from the requirements of 3.13.10 Fencing, and 3.13.11 Landscaping.
  - 2. Camouflaged Wireless Communications Structures Shall comply with all other

Regulations and standards. In making the determination that a Wireless Communications Structure is considered to be camouflaged, the County Manager or designee Shall consider:

- a. Logic of design.
- b. Height in relationship to the height of nearby Structures.
- c. Scale in relationship to the size and proportions of nearby Structures.
- d. Structure materials and color selection.
- e. Compatibility with surrounding Uses.

3.13.04 Radiation Emission Standards. The Communications Tower and Communication Antennae must meet the radiation emission standards set by the FCC. The applicant Shall provide evidence that the Communications Tower and Communication Antennae meet the FCC standards where applicable.

3.13.05 Amateur Radio Station Operators/Receive Only Antennas.

- A. Wireless Communications Towers, Antennas and Equipment Facilities owned and operated by a federally-licensed amateur radio station operator or which are used exclusively for receive only antennas up to one hundred (100) feet in height Shall be permitted in all Zoning Districts. These Towers and Antennas up to two hundred (200) feet in height Shall be permitted on lots containing a minimum of five (5) acres in the A, RA, A-1-20, A-1-40 Zoning Districts and in the Green Swamp Area of Critical State Concern Rural Conservation and Core Conservation Land Use classifications. The maximum height permitted in all cases is subject to FAA review and approval.
- B. Setbacks Shall be measured from the base of the Wireless Communications Tower to the property line of the parcel on which it is located. Normal Zoning District setbacks Shall apply.
- C. Anti-climbing devices Shall be installed on each tower.
- D. No other provisions of 3.13 Shall apply to Amateur Radio Station operators/receive only antennas with the exception of 3.13.02, Compliance with Other Laws and Regulations and 3.13.04, Radiation Emission Standards, where applicable/

3.13.06 Measurement and Lot Size.

- A. Measurement. For purposes of measurement, tower setbacks and separation distances Shall be calculated and applied to Facilities located in Lake County irrespective of Municipal and County jurisdictional boundaries.
- B. Lot Size. For purposes of determining whether the installation of a Tower or Antenna complies

with district development regulations, including but not limited to Setback Requirements, lot-coverage Requirements, and other such requirements, the dimensions of the entire lot Shall control, even though the antennas or towers may be located on leased parcels within such lot.

3.13.07 Setbacks.

A. Equipment facility and guyed support structures have to meet a setback of twenty-five (25) feet or the Zoning District setback, whichever is greater.

B. Towers Shall be centered within the boundaries of the Property recognized as the parent parcel on the zoning map by the Department of Growth Management, maintain a minimum setback of one hundred (100) feet from the Property Line and be measured using Global Position System coordinates for the center of the Tower, and if applicable, Shall meet both the requirements below:

	From R1, R2, R3, R4, R6, R7, R10, RP, RMRP, RM, PUD Zoned Lands (or similar municipal zonings) in Urban, Urban Expansion, Rural Village, Mount Plymouth-Sorrento Urban Compact Node, Ridge, Transitional	From any Single Family or Duplex Residential Unit
Lattice	1320 feet	1320 feet
Guyed	1320 feet	1320 feet
Monopole	330 feet	400% of the tower height
Camouflage	100 feet	100 feet

If the Owner of the Property where the Tower is to be located owns Residential units thereon or on surrounding properties (or if such properties are owned by his or her parents or children and they have consented in writing), those units Shall not be taken into consideration when calculating the Setback requirements of this section.

3.13.09 Separation between Towers.

A. Wireless Communications Tower separation Shall be measured using Global Position System (GPS) coordinates for the center of the Tower. Wireless Communications Towers Shall meet the following separation requirements:

Wireless Communications Tower Separation

Proposed Tower Type

Existing Tower Type	Proposed Tower Type			
	Lattice or Self-Supporting	Guyed	Monopole >150	Monopole 150 or less
Lattice or Self-Supporting	5,000 feet	5,000 feet	3,500 feet	500 feet
Guyed	5,000 feet	5,000 feet	3,500 feet	500 feet
Monopole > 150	3,500 feet	3,500 feet	1,500 feet	500 feet

Monopole 150 or less	2,500 feet	2,500 feet	1,000 feet	500 feet
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Exempt from this requirement are Antennas and Towers that are recognized camouflaged structures. In determining separation distances, Amateur Radio Station Operators/Receive Only Antennas will not be included in the calculations.

B. Wireless Communications Towers designed to accommodate four (4) or more service providers Shall be granted a reduction in the separation distances between Communications Towers as shown below:

Co-Location Reduction

Number of Service Providers on Tower	Reduction in Separation Requirements
Four (4)	Fifteen (15) percent
Five (5)	Twenty-five (25) percent
Six (6)	Thirty-five (35) percent

Prior to issuance of building permit, the owner/operator Shall submit executed co-location agreements for each additional co-location in a form acceptable to the County Manager or designee that Shall provide that each of the additional Users will be utilizing the Tower upon its completion.

3.13.09A Communication Antenna Co-location.

- A. Use of Existing Conforming Structures. Wireless Communication Antenna placement is Permitted with Site Plan Review, and approval by the County Manager or designee on any existing conforming non-residential Structure other than Communication Towers if the Communication Antenna does not cause the combined height of the Structure and Antenna to exceed one hundred fifty (150) percent of the height of the Structure. No CUP or rezoning to CFD is required for this type of placement.
- B. Use of Existing Towers. Lake County encourages the use of existing Towers. Additional Antennas may be placed on existing conforming towers, excluding Amateur Radio Towers and Receive Only Antennas, without Site Plan Review provided there is not an increase in height. Applications for co-location Shall include written permission from the Tower owner accompanied by sealed and verified testimony by an engineer licensed in the State of Florida that the Tower can hold the additional equipment and maintain compliance with the adopted Structural codes in effect at the time of said improvement or addition.

3.13.10 Fencing. A chain link fence or wall not less than six (6) feet from finished grade Shall be provided around each communications Tower and support facilities. In commercial and industrial Zoning District, barbed wire or other appropriate anti-climbing device Shall be used along the top of the fence or wall. The area to be fenced Shall surround and enclose as a single entity or individually, the tower, all supporting Structures including guyed grounding points, and equipment facilities. Access to the Communications Tower Shall be through a locked gate.



### 3.13.11 Landscaping.

- A. The visual impact of a communications tower Shall be mitigated for nearby viewers through landscaping at the base of the Communications Tower and ancillary structures. Landscaping Shall be installed on the outside of fences or walls except in agricultural areas.
- B. Existing vegetation Shall be preserved to the maximum extent practicable and may be used as a substitute of or in supplement toward meeting the following landscaping requirements:
  - 1. A row of shade trees a minimum of ten (10) feet tall, two and one-half (2 1/2) inches in diameter measured at breast height and a maximum of twenty (20) feet apart Shall be planted around the perimeter of the fence.
  - 2. A continuous hedge of at least twenty-four (24) inches high at planting of sufficient health and quality capable of growing at least thirty-six (36) inches in height within eighteen (18) months Shall be planted in front of the tree line referenced above.
  - 3. All landscaping Shall be of the evergreen variety.
  - 4. All landscaping Shall be drought tolerant and suited to the site Soil conditions (xeriscape) or irrigated and properly maintained to ensure good health and viability.
- C. At the public hearing at which the CFD zoning or Conditional Use Permit is approved, the Board of County Commissioners may waive all or part of the landscaping requirements if it finds it is not necessary to mitigate the visual impact for nearby viewers.

3.13.12 Modification or Rebuilding. Existing conforming Communications Towers, excluding Amateur Radio Towers and Receive Only Antennas, may be modified or rebuilt to accommodate co-location of additional communications Antennas without a public hearing provided there is not an increase in height. The modified or rebuilt tower must be the same type as the previously existing tower and there must be an executed written agreement showing there will be at least one (1) additional user utilizing the Tower upon rebuild or modification.

3.13.13 Illumination. Communications Towers Shall not be required to be artificially lighted except to assure human safety or as required by the Federal Aviation Administration. If the FAA requires lighting and there are residential uses found within a distance that is three hundred (300) percent of the height of the Communications Tower, dual mode lighting Shall be requested from the FAA.

3.13.14 Finished Color. Communications Towers not requiring FAA painting/markings Shall have a galvanized finish or be painted in a neutral color.

### 3.13.15 Signage.

- 1. Signage unless otherwise required by law on perimeter fences Shall be limited to:

- a. FCC registration.
  - b. Trespassing, danger/warning, or emergency directions.
  - c. One sign not to exceed four (4) square feet in size providing Tower owner and leasing information.
2. Each User Shall be permitted two (2) square feet of signage on equipment facilities providing ownership information and/or emergency directions.
  3. No signage Shall be Permitted on Towers or Antennas.

3.13.16 Removal of Abandoned Antennas and Towers. Any Antenna or Tower that is not operated for a continuous period of twelve (12) months Shall be considered abandoned, and the owner of such antenna or tower Shall remove the same within ninety (90) days of receipt of notice from Lake County notifying the owner of such abandonment. Failure to remove an abandoned Antenna or Tower within said ninety (90) days Shall be grounds to remove the Tower or Antenna at the owner's expense. If there are two (2) or more users of a single Tower, then this provision Shall not become effective Until all Users cease using the Tower.

3.13.17 Conditional Use and Community Facility District (CFD) Criteria. In determining a Conditional Use or CFD request for a Communication Tower in addition to those criteria set forth in Lake County Code, Section 14.05.06, the Board of County Commissioners Shall take into consideration whether or not the proposed Tower will have substantial adverse aesthetic impact on neighboring Residential lands and compatibility of a camouflaged Tower in a given area. The Board of County Commissioners' determination Shall be based on relevant and competent evidence, documentation, and testimony received at the public hearing from the staff, the applicant and any party in support or opposition, or their respective representatives. The Board of County Commissioners Shall utilize the following criteria:

- A. Aesthetic impact: This means view of a Tower that is not camouflaged. Aesthetic impact Shall take into consideration, but not be limited to, the amount of the Tower that can be viewed from surrounding Residential Zones in conjunction with its proximity (distance) to the residential zone, mitigation landscaping, existing character of surrounding area, or other visual options proposed by the applicant.
- B. Compatibility: This means the degree to which a Tower is designed and located to be compatible with the nature and character of other Land Uses and/or with the environment within which the Tower proposes to locate. The tower may be placed, designed, or camouflaged to assist with mitigating the overall aesthetic impact of a tower. A camouflage agent Shall be designed to be compatible with the surrounding Land Uses and the environment.
- C. Minimum Standards: In addition to the above, the minimum performance standards with respect to separation between Towers, separation between residential uses and Towers, etc., as referenced herein, Shall be met. These standards, however, are minimum standards; the Board of County Commissioners is empowered to impose more restrictive Conditions to a Conditional

Use or CFD request in order to recommend approval so as to achieve the desired protection with respect to aesthetic impact and harmony and compatibility with the surrounding community. The determination by the Board of County Commissioners to impose more restrictive conditions shall be based on substantial competent evidence that supports the modification and consistency of the modification with the purpose and intent of this section.

(Ord. No. 2003-85, § 2, 10-7-03; Ord. No. 2009-21, §§ 3, 4, 4-21-09)