

Summary of Ordinance

The purpose of this Ordinance is to update and amend, Lake County Code, Appendix E, Land Development Regulations (“LDR”), in order to designate medical service uses as a permitted use within a commercial zoning district where the use is currently not allowed. Specifically, this Ordinance will amend LDR Section 3.01.03, the Schedule of Permitted and Conditional Uses to allow restaurants, fast food and as a permitted use within Neighborhood Commercial (C-1) zoning districts to allow comprehensive transitional education facility within the Community Facility (CFD) zoning district, and to establish electronic game room facilities in all commercial and industrial zoning districts provided they meet Sec 3-67, Article X of Lake County Code.

Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to existing Code sections. The notation “* * *” shall mean that all preceding or subsequent text remains unchanged (excluding any renumbering or re-lettering that might be needed).

ORDINANCE 2022-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE, APPENDIX E, “LAND DEVELOPMENT REGULATIONS” TO ESTABLISH RESTAURANT, FAST FOOD AND TRANSITIONAL COMPREHENSIVE FACILITY AS A PERMITTED USE AND ESTABLISH ELECTRONIC GAME ROOM FACILIY AS A PERMITTED USE BY AMENDING LAND DEVELOPMENT REGULATIONS SECTION 3.01.03, THE SCHEDULE OF PERMITTED AND CONDITIONAL USES;’ PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 22, 2011, the Lake County 2030 Comprehensive Plan became effective, which required the Land Development Regulations be updated; and

WHEREAS, Objective I-1.1 of the Lake County Comprehensive Plan, entitled Planning Framework, Lake County shall establish a planning framework to provide for the efficient provision of services, use of innovative planning techniques, a variety of transportation, employment and housing options, the protection of the environment, and a sustainable diversified economy; and

WHEREAS, Policy I-1.1.3 of the Lake County Comprehensive Plan, entitled Direct Orderly, Compact Growth, land use patterns delineated on the Future Land Use Map shall direct orderly, compact growth; and

WHEREAS, Policy I-1.1.8 of the 2030 Comprehensive Plan requires the County to adopt and maintain a set of specific and detailed Land Development Regulations that implement and are consistent with the goals, objectives and policies of the Comprehensive Plan; and

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WHEREAS, the Board of County Commissioners of Lake County, Florida desires to amend Lake County Code, Appendix E, Land Development Regulations to remove unnecessary provisions contained therein, and to provide consistency between the Land Development Regulations and the 2030 Comprehensive Plan; and

WHEREAS, the Lake County Board of County Commissioners determines that these amendments are in the best interests of the citizens of Lake County, Florida; and

WHEREAS, on the 5th day of January, 2022, this Ordinance was heard at a public hearing before the Lake County Planning & Zoning Board, who considered this ordinance and recommended approval; and

WHEREAS, on the 1st day of February, 2022, this Ordinance was heard at a public hearing before the Lake County Board of County Commissioners.

NOW THEREFORE, be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein.

Section 2. Amendment. **Lake County Code, Appendix E, Land Development Regulations**, entitled Schedule of Permitted and Conditional Uses, is amended as follows. Specifically Section 3.01.03 Table Schedule of Permitted and Conditional Uses is amended to allow “Restaurant, Fast Food” as a permitted use in the Neighborhood Commercial (C-1) zoning district by adding the letter “P” under the C-1 zoning column associated with “Restaurant, Fast Food” use as listed beneath the Commercial Uses subsection of the table and to establish “Electronic Game Room Facility” as an allowed use in all Commercial and Industrial zoning districts.

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1 **Table 3.01.03 Schedule of Permitted and Conditional Uses.**

2

3.01.03 Schedule of Permitted and Conditional Uses.																							
COMMERCIAL USES																							
Use Classifications	A	RA	AR	R1	R2	R3	R4	R6	R7	R10	RP	RMRP*	RM	C1*	C2*	C3*	CP	LM	HM	MP	CFD	RV	CONDITION/ LDR SECTION
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
<u>Comprehensive Transitional Educational Facility</u>																					P		<u>Sec. 3.01.02.E.11</u>
<u>Electronic Game Room Facility</u>														<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>	<u>P*</u>			<u>Sec. 3-67, Article X</u>
Hotel or Motel															P	P	P						Sec.3.01.02.C.8
Marina	C	C	C												P	P	P			P	P		15 & Sec. 3.01.02.C.9
Medical Service											P			P	P	P	P	P	P	P			Sec.3.01.02.C.10
Personal Care Services														P	P	P	P	P		P			Sec.3.01.02.C.11
Professional Office											P			P	P	P	P	P	P	P	P		Sec.3.01.02.C.12
Recreation, Commercial															P	P	P	P					Sec.3.01.02.C.13

Research Services																	P	P	P	P	P	P					Sec.3.01.02.C.14	
Restaurant, Fast Food																	<u>P</u>	P	P	P	P	P	P					Sec.3.01.02.C.15
Restaurant, General																	P	P	P	P	P	P	P		C			Sec.3.01.02.C.16
Retail, Convenience													C				P	P	P	P	P	P	P		C			5 & Sec. 3.01.02.C.17
Retail, General																	P	P	P	P			P		C			3.01.02.C.18
Self-Service Laundry								P	P								P	P		P								6 & Sec. 3.01.02.C.19
Self-Service Storage																		C		P	P	P	P					Sec. 3.01.02.C.20
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
Vehicular 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
COMMUNITY FACILITY USES																												
Cemetery	C																										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
Cemetery	C																									P		10
<u>Comprehensive Transitional Educational Facility</u>																										<u>P</u>		<u>Sec. 3.01.02.E.11</u>
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		
Public Safety Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 3.01.02.E.16
Utilities, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Sec.3.01.02.E.14
Utilities, Major	C														P	P	P	P	P	P	P	P		Sec.3.01.02.E.15	
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	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	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	C	P	C	19*	

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 2 (Ord. No. 2012-4, § 2, 1-24-12; Ord. No. 2012-70, § 4, 11-6-12)
 3 P = Permitted Use C = Conditional Use
 4 P* = Sec. 3-67, Article X

1 **Section 3. Inclusion in Code.** It is the intent of the Board of County Commissioners that
2 the provisions of this Ordinance shall become and be made a part of the Lake County Code and
3 that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance"
4 may be changed to "section", "article", or such other appropriate word or phrase in order to
5 accomplish such intentions.
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7 **Section 4. Severability.** If any section, sentence, clause, phrase or word of this
8 Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such
9 holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be
10 construed to have been the Commissioner's intent to pass this Ordinance without such
11 unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the
12 exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been
13 included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any
14 person, groups of persons, property, kind of property, circumstances or set of circumstances, such
15 holding shall not effect the applicability thereof to any other person, property or circumstances.
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17 **Section 5. Filing with the Department of State.** The Clerk shall be and is hereby
18 directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State
19 of Florida.

20 **Section 6. Effective Date.** This ordinance shall become effective as provided for by
21 law.
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23 ENACTED this day of _____ day of _____, 2022.

24 FILED with the Secretary of State the ____ day of _____, 2022.
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29 ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

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34 _____
35 Gary Cooney, Clerk of the
36 Board of County Commissioners of
37 Lake County, Florida

38 _____
39 Sean M. Parks, Chairman

This ____ day of _____, 2022.

40 Approved as to form and legality:
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43 _____
44 Melanie Marsh, County Attorney