

Summary of Ordinance

The purpose of this Ordinance is to update Section 3.01.03, Lake County Code, Land Development Regulations, entitled *Schedule of Permitted and Conditional Uses*, as follows (1) to allow Fast Food Restaurants as a permitted use within Neighborhood Commercial (C-1) zoning districts; (2) to allow Assisted Living Facilities and Comprehensive Transitional Education Facilities within the Community Facility District (CFD); (3) to add Two-Family Dwellings as a permitted use in the Medium Residential (R-3), Medium Suburban Residential (R-4) and Urban Residential (R-6) districts; (4) to add Multi-Family Dwellings as a permitted use in R-4 district; (5) clarifying that Recreational Vehicle Parks are permitted uses in the Recreational Vehicle (RV) district; and (6) to clarify that Electronic Game Room Facilities are permitted in all commercial and industrial zoning districts provided they meet the requirements of Section 3-67, Article X of the 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

ORDINANCE 2022-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING SECTION 3.01.03, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED *SCHEDULE OF PERMITTED AND CONDITIONAL USES*; ADDING FAST FOODS RESTAURANTS AS A PERMITTED USE IN C-1 ZONING DISTRICTS; ADDING ASSISTED LIVING FACILITIES AND COMPREHENSIVE TRANSITIONAL EDUCATION FACILITIES AS A PERMITTED USE IN CFD ZONING DISTRICTS; ADDING TWO-FAMILY DWELLING UNITS AS A PERMITTED USE TO THE R-3, R-4 AND R-6 ZONING DISTRICTS; ADDING MULTI-FAMILY DWELLING UNITS AS A PERMITTED USE TO THE R-4 ZONING DISTRICT; CLARIFYING THAT RECREATIONAL VEHICLE PARKS ARE A PERMITTED USE IN THE RV ZONING DISTRICT; CLARIFYING THAT ELECTRONIC GAME ROOM FACILITIES ARE A PERMITTED USE IN ALL COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; MAKING OTHER MINOR UPDATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Office of Planning and Zoning received a request from a developer to amend the Land Development Regulations to allow fast food restaurants in the Neighborhood Commercial (C-1) zoning districts; and

WHEREAS, upon researching the regulations of neighboring counties, it was determined that other jurisdictions permit fast food restaurants in commercial zoning districts that are equivalent to the County’s C-1 designation; and

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1 **WHEREAS**, on February 23, 2021, the Board of County Commissioners (Board) adopted
2 Ordinance No. 2021-4 for the purposes of regulating electronic game room facilities and now
3 needs to update Section 3.01.03 to designate appropriate zoning districts for such uses; and
4

5 **WHEREAS**, the Office of Planning and Zoning is recommending updating the *Schedule*
6 *of Permitted and Conditional Uses* categories for Assisted Living Facilities, Comprehensive
7 Transitional Education Facility, and Recreational Vehicle Parks since those uses are provided for
8 in other sections of the Land Development Regulations without a corresponding category within
9 Section 3.01.03; and
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11 **WHEREAS**, the Office of Planning and Zoning also recommends other minor adjustments
12 and clarifications to remove outdated references and categories; and
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14 **WHEREAS**, the Board finds that amending the *Schedule of Permitted and Conditional*
15 *Uses* is in the best interests of the health, safety, and welfare of the residents of Lake County,
16 Florida.
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18 **NOW THEREFORE**, be it ordained by the Board of County Commissioners of Lake
19 County, Florida, as follows:
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21 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated
22 herein.
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24 **Section 2. Amendment.** Section 3.01.03, Lake County Code, Appendix E, Land
25 Development Regulations, entitled *Schedule of Permitted and Conditional Uses*, is amended to
26 read as follows:

Ordinance 2022-___; LDR Amendment to Schedule of Permitted and Conditional Uses

Egg Processing Facilities	C																					4
Exotic Animals	C																					43, 3.01.02.B.144, & 3.01.02.B.2
Family Gardens		P	P	P	P	P	P	P	P	P	P	P										Sec. 3.01.02.B.3
Greyhound Dog Farms	C																					20 Sec. 3.01.02.B.5
Hog Farms	C																					4
Horse-Breeding Farms	P	P	P	P																		4
Kennels	C														P		P	P	P	P		1, 18, Sec. 3.01.02.B.6 & 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. 3.01.02.B.76
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.87
Plant Nurseries *5 Acre Requirement	P	C	C	C*											P	P	P	P				46 & Sec. 3.01.02.B.98
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.109
Slaughterhouses	C																					
Veterinary Clinics	P										C			C	C	C	P	C	P	P		12 Sec. 3.01.02.B.11
***Agricultural uses in these use classifications are limited to hay production																						
COMMERCIAL USES																						

Ordinance 2022-___; LDR Amendment to Schedule of Permitted and Conditional Uses

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			24 Sec. <u>3.01.02.E.12</u>
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	<u>Sec.</u> <u>3.01.02.E.10</u>
Public Safety Service	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	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	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	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	C	Sec. 3.01.02.F.4
Hunting and Fishing Resort	C	C	C	C	C											C						P	Sec. 3.01.02.F.3

Ordinance 2022-____; LDR Amendment to Schedule of Permitted and Conditional Uses

- 1 [Note 1. Only rental mobile home dwelling units are allowed in RMRP.](#)
- 2 [Note 2. Residences permitted with site plan approval when used in conjunction with business.](#)
- 3 [Note 3. Agricultural uses in these use classifications are limited to hay production.](#)
- 4 [Note 4. Section 3-67, Article X.](#)
- 5 (Ord. No. 2012-4, § 2, 1-24-12; Ord. No. 2012-70, § 4, 11-6-12)
- 6 P = Permitted Use C = Conditional Use
- 7

1 **Section 3. Inclusion in Code.** It is the intent of the Board of County Commissioners
2 that the provisions of this Ordinance shall become and be made a part of the Lake County Code
3 and 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.
6

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 affect the applicability thereof to any other person, property or circumstances.
16

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.
22

23 ENACTED this day of _____ day of _____, 2022.

24 FILED with the Secretary of State the _____ day of _____, 2022.
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28 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

34 _____
35 Sean M. Parks, Chairman

36 This _____ day of _____, 2022.
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39 Approved as to form and legality:
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41
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43 _____
Melanie Marsh, County Attorney