## **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 <u>Underline</u> for additions to existing Code sections. The notation "\* \* \*" shall mean that all preceding or subsequent text remains unchanged (excluding

2 ORDINANCE 2022-\_\_\_\_

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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**; **UPDATES**; MAKING **OTHER MINOR PROVIDING** SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING AN EFFECTIVE DATE.

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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

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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
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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. <u>Amendment.</u> 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:

## Table 3.01.03 Schedule of Permitted and Conditional Uses.

3.01.03 Schedule of Permitted and Condition	nal Uses.																						
Use Classifications	A	RA	AR	R1	R2	R3	R4	R6	R7	R10	RP	RMRP <u>1</u> *	RM	C1 <u>2*</u>	C2 <sup>2</sup> *	C3 <u>2*</u>	СР	LM	НМ	MP	CFD	RV	CONDITION /
																							LDR SECTION
RESIDENTIAL USES																							
Single-Family Dwelling Unit	Р	Р	Р	Р	Р	Р	Р	Р	Р		Р	P <u>1*</u>	Р	P <u>2**</u>	P <u>2**</u>	P <u>2**</u>	Р	Р	Р	Р			3 <u>Sec.</u> 3.01.02.1.A.1
Bed & Breakfast Home	P	Р	Р	С	С	С	С	С			С												Sec. 3.12.03
Bed & Breakfast Inn	С	С	С	С							Р			Р	Р	Р	Р						Sec. 3.12.02
Two-Family Dwelling Unit						<u>P</u>	<u>P</u>	<u>P</u>	Р	Р	Р												Sec. 3.01.02.A.2
Multi-Family Dwelling Unit							<u>P</u>	Р	Р	Р	С			Р	Р	Р	Р						Sec. 3.01.02.A.3
Recreational Vehicle Park																						<u>P</u>	Sec. 3.01.02.A.5
* Only rea	ntal mobile home dv	velling	<del>j unit</del>	s are	allow	<del>red in</del>	RMF	<del>(P **</del>	Resi	dence	<del>s per</del> i	mitted with	<del>site pl</del>	an app	roved v	vhen u	sed in	conju	nction \	with bu	siness.		
AGRICULTURAL USES																							
General Agriculture	P																	P <u>3***</u>	P <u>3***</u>	P <u>3***</u>	Р		1 <u>Sec.</u> 3.01.02.B.1
Non-Intensive Agricultural	Р	Р	Р	Р																	Р		1 & Sec. 3.01.02.B.2
Agricultural Housing/Camps	С	С																					Sec. 3.12.02.B. <u>4</u> 3
Chicken Farms	С																						1

Egg Processing Facilities	С																					-	4
Exotic Animals	С																					:	<del>13,</del> 3.01.02.B. <u>14</u> 4, <u>&amp; 3.01.02.B.2</u>
Family Gardens		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р											Sec. 3.01.02.B.3
Greyhound Dog Farms	С																						<del>20</del> <u>Sec.</u> 3.01.02.B.5
Hog Farms	С																						4
Horse-Breeding Farms	Р	Р	Р	Р																			1
Kennels	С														P		Р	Р	Р	Р			1, 18, <u>Sec.</u> 3.01.02.B.6 & Chap. II, Definitions
Loft / Aviary	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р						<del>22</del>
Mills	С																			Р			Sec. 3.01.02.B. <u>7</u> 6
Mining and Quarrying	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С		Sec. 3.01.02.B. <u>8</u> 7
Plant Nurseries *5 Acre Requirement	P	С	С	C*										Р	Р	Р	Р						<del>16 &amp;</del> Sec. 3.01.02.B. <u>9</u> 8
Obnoxious Uses	С													С	С	С	С	С	С	С	С		Chap. II, Definitions
Roadside Farm Stands	P	Р	С																				Sec. 3.01.02.B. <u>10</u> 9
Slaughterhouses	С																						
Veterinary Clinics	Р										С			С	С	С	Р	С	Р	Р			12 <u>Sec.</u> 3.01.02.B.11
	·	***	\ aria	ltural		to de						limited to ha		1 0						-			

Adult Use											С		С						2 Sec. 3.01.02.C.2 & Sec. 3.07.00
Amusements, Commercial	С			T						С	С		Р						Sec. 3.01.02.C.2
Automotive Repair											Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.3
Automotive Service Station / Convenience Store										Р	Р	Р	Р			Р			Sec. 3.01.02.C.4
Banking										Р	Р	Р	Р			Р			Sec. 3.01.02.C.5
Bar or Tavern										Р	Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.6
Carwash										Р	Р	Р	Р			Р			See Chap. II, Definitions
Consumer Services and Repair											Р		Р	Р		Р		С	Sec. 3.01.02.C.7
Electronic Game Room Facility										<u>P</u> 4			Sec. 3-67, Article X						
Hotel or Motel											Р	Р	Р						Sec. 3.01.02.C.8
Marina	С	С	С								Р	Р	Р			Р	Р		<del>15</del> & Sec. 3.01.02.C.9
Medical Service								Р		Р	Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.10
Personal Care Services										Р	Р	Р	Р	Р		Р			Sec. 3.01.02.C.11
Professional Office								Р		Р	Р	Р	Р	Р	Р	Р	Р		Sec. 3.01.02.C.12
Recreation, Commercial											Р	Р	Р	Р					Sec. 3.01.02.C.13

Research Service									Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.14
Restaurant, Fast Food								<u>P</u>	Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.15
Restaurant, General								Р	Р	Р	Р	Р	Р	Р		С	Sec. 3.01.02.C.16
Retail, Convenience							С	Р	Р	Р	Р	Р	Р	Р		С	5 & Sec. 3.01.02.C.17
Retail, General								Р	Р	Р	Р			Р		С	Sec. 3.01.02.C.18
Self-Service Laundry						Р	Р	Р	Р		Р						6 & Sec. 3.01.02.C.19
Self-Service Storage									С		Р	Р	Р	Р			Sec. 3.01.02.C.20
Theater									Р		Р				Р		Sec. 3.01.02.C.21
Recreational Vehicles																Р	<del>17</del> <u>Sec.</u> <u>3.01.02.C.21</u>
Truckyard	С										Р	Р	Р	Р			13 & Sec. 3.01.02.C.22
Vehicular Sales									С	С	Р	Р	Р	Р			Sec. 3.01.02.C.23
Wholesale and Warehouse									Р	Р	Р	Р	Р	Р			Sec. 3.01.02.C.24
INDUSTRIAL USES																	
Airport													Р	Р	Р		8 <u>Sec. 4.01.00</u>
Industrial, Light												Р	Р	Р			Sec. 3.01.02.D. <u>1</u> 2
Industrial, Heavy	С												P, C	P, C			Sec. 3.01.02.D. <u>2</u> 3, 21, & 24

Junkyard																	Р		Р	Р		9 & Sec 3.01.02.D. <u>45</u>
Recycling Center																		Р	Р	Р	Р	Sec. 3.01.02.D. <u>3</u> 4
Trucking Facilities											П							Р	Р	Р		
Warehouses															₽	₽	₽	₽	₽	₽		<del>Sec.</del> 3.01.02.C.24
COMMUNITY FACILITY USES																						
Assisted Living Facility																					<u>P</u>	F.S. Ch. 400, Pt. III
Cemetery	С																Р				Р	<del>10</del> <u>Sec.</u> 3.01.02.E.1
College or University	С														Р	Р	Р				Р	Sec. 3.01.02.E.2
Church														Р	Р	Р	Р				Р	44 <u>Sec.</u> 3.01.02.E.3
Comprehensive Transitional Education Facility																					<u>P</u>	Sec. 3.01.02.E.11
Community Residential Home	Ī									Р				Р	Р		Р				Р	Sec. 3.01.02.E.4
Cultural Institution														Р	Р	Р	Р	Р			Р	Sec. 3.01.02.E.5
Day Care Center														Р	Р	Р	Р				Р	Sec. 3.01.02.E.6
Dormitory	1														Р	Р	Р				Р	Sec. 3.01.02.E.7
Expressway Interchange, Wekiva																					Р	
Family Day Care Home	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р				Р	Sec. 3.01.02.E.8

Family Residential Home	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р						Р		Sec. 3.01.02.E.9
Landfill	С																Р	С	С	Р			21 <u>Sec.</u> 3.01.02.E.12
Nursing Home									С	С	С				Р	Р					Р		Sec. 3.01.02.E.13
Primary or Secondary School	С	С	С	С	С	С	С	С	Р	Р	Р	С	С	Р	Р	Р		Р			Р		Sec. 3.01.02.E.10
Public Safety Service	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Sec. 3.01.02.E.16
Utilities, Limited	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р		Sec. 3.01.02.E.14
Utilities, Major	С													Р	Р	Р	Р	Р	Р	Р	Р		Sec. 3.01.02.E.15
														a., b. & c. below covered in Sec. 3.13.00									
a. Camouflaged	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	19
b. Amateur Radio Station Operators/ Receive Only Antennas	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р		
c. All others must meet 3.13.00 requirements	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	С	Р	С	<del>19*</del>
RECREATIONAL USES																							
Club, Private or Country														Р	Р	Р	Р				Р		14 & Sec. 3.01.02.F.1
Riding Stable or Academy	С	С	С																		Р		4 & Sec. 3.01.02.F.2
Parks and Recreation <del>, Passive</del>	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	С	Sec. 3.01.02.F.4
Hunting and Fishing Resort	С	С	С	С	С										С						Р	С	Sec. 3.01.02.F.3

## Ordinance 2022-\_\_\_; LDR Amendment to Schedule of Permitted and Conditional Uses

1	Section 3. <u>Inclusion in Co</u>	ode. It is th	e intent o	f the Board of	County Commis	sioners
2	that the provisions of this Ordinance	shall become	and be n	nade a part of	the Lake Count	y Code
3	and that the sections of this Ordinance	may be renur	mbered or	r re-lettered a	nd the word "ordi	nance"
4	may be changed to "section", "articl	le", or such	other app	ropriate wor	d or phrase in o	rder to
5	accomplish such intentions.					
6	-					
7	Section 4. <u>Severability.</u>	If any section	on, sente	nce, clause,	phrase or word	of this
8	Ordinance is for any reason held or	declared to b	e uncon	stitutional, in	operative or voi	d, such
9	holding or invalidity shall not affect	the remaining	ng portion	ns of this Ord	dinance; and it s	hall be
10	construed to have been the Comm	issioner's in	tent to	pass this Or	dinance without	t such
11	unconstitutional, invalid or inoperative					
12	exclusion of such part or parts shall be					
13	included herein; or if this Ordinance					
14	person, groups of persons, property, k					
15	holding shall not affect the applicabili		•			-
16		·	•	71 1	•	
17	Section 5. Filing with the	e Departmen	t of Stat	e. The Clerk	shall be and is	hereby
18	directed forthwith to send a certified of	copy of this O	rdinance	to the Secreta	ary of State for th	ie State
19	of Florida.				•	
20	Section 6. <u>Effective Date</u>	. This ordinar	nce shall	become effect	tive as provided	for by
21	law.	-			-	•
22						
23	ENACTED this day of	day of			_, 2022.	
24						
25	FILED with the Secretary of S	state the	_day of		_, 2022.	
26						
27						
28	ATTEST:		BOARI	O OF COUNT	TY COMMISSIO	NERS
29			OF LA	KE COUNTY	, FLORIDA	
30						
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33		_				
34	Gary Cooney, Clerk of the		Sean M	. Parks, Chair	man	
35	Board of County Commissioners of					
36	Lake County, Florida		This	day of		_, 2022.
37						
38						
39	Approved as to form and legality:					
40						
41						
42						
43	Melanie Marsh, County Attorney					