## **Summary of Ordinance**

1

The purpose of this Ordinance is to amend Chapter II, *Definitions*, and Section 3.01.03, entitled *Schedule of Permitted and Conditional Uses*, Lake County Code, Appendix E, Land Development Regulations, to allow for:

- Resiliency Facilities in all commercial and industrial zoning districts as required by Section 163.3210, Florida Statutes, adopted by the Florida Legislature as House Bill 1645 (2024).
- Solar Facilities in all agricultural zoning districts as required by Section 163.3205, Florida Statutes, adopted by the Florida Legislature in 2022.

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 any renumbering or relettering that might be needed).

2	
3 4	ORDINANCE 2025
4 5	AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
6	LAKE COUNTY, FLORIDA; AMENDING THE FOLLOWING SECTIONS
7	OF THE LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT
8	<b>REGULATIONS: CHAPTER II, ENTITLED DEFINITIONS, AND</b>
9	SECTION 3.01.03, ENTITLED SCHEDULE OF PERMITTED AND
10	CONDITIONAL USES; DEFINING AND PERMITTING NATURAL GAS
11	<b>RESILIENCY FACILITIES IN ALL COMMERCIAL AND INDUSTRIAL</b>
12	ZONING DISTRICTS; DEFINING AND ALLOWING SOLAR
13	FACILITIES IN THE AGRICULTURAL (A) ZONING DISTRICT;
14	PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN
15	THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF
16	STATE; AND PROVIDING AN EFFECTIVE DATE.
17	
18	WHEREAS, recent amendments to State law as set forth in Chapter 2024-186, Laws of
19	Florida, codified in Section 163.3210, Florida Statutes, defines the term "resiliency facility" and
20	provides that a resiliency facility must be a permitted use in a local government comprehensive
21	plan and all commercial, industrial and manufacturing zoning districts; and
22	
23	WHEREAS, as set forth in Chapter 2021-178, Laws of Florida, codified in Section
24	163.3205, Florida Statutes, solar facilities as defined must be a permitted use in the agricultural
25	zoning district in the unincorporated areas; and
26	
27	WHEREAS, to comply with state law, the Board has determined that adopting this
28	Ordinance is in the best interests of the residents of Lake County, Florida.
29	NOW THEREFORE has it and in adding the Deard of County Commissioners of Lake
30 31	<b>NOW THEREFORE</b> , be it ordained by the Board of County Commissioners of Lake County, Florida, as follows:
31 32	County, Pionua, as follows.
52	

## 2025-\_\_; Natural Gas Resiliency Facilities / Solar Facilities LDR Amendment

33 34		<b>Legislative Findings of Fact.</b> The foregoing recitals are hereby adopted as the Board of County Commissioners and are ratified and confirmed as being
35 36	6	e hereby made a specific part of this Ordinance upon adoption hereof.
37 38 39		<u>Amendment.</u> Chapter II, Lake County Code, Appendix E, Land ons, entitled <i>Definitions</i> , is hereby amended to read as follows:
40 41	CHAPTER II	DEFINITIONS
42		DEFINITIONS
43		(All preceding definitions shall remain unchanged.)
44 45		****
46		
47		cility. A facility as defined in Section 163.3210, Florida Statutes, as
48	amended.	
49		
50		****
51		
52	<u>Solar Facility.</u>	A facility as defined in Section 163.3205, Florida Statutes, as amended.
53		
54		****
55		
56		(All following definitions shall remain unchanged.)
57		
58		
59	Section 3. <u>Amend</u>	
60	1 0	ions, entitled Schedule of Permitted and Conditional Uses, is hereby
61	amended to read as fol	lows:
62		
63		
64		
65	1	The man in dem of this second in 1-th inter (* 11-11-1)
66	{	The remainder of this page in left intentionally blank}

3.01.03 Schedule of Permitted and Conditional Uses.

1

	ZO	NING	DISTI	RICTS																			
Use Classifications	A	RA	AR	R1	R2	R3	R4	R6	R7	R10	RP	RMRP <sup>1</sup>	RM	C1 <sup>2</sup>	C2 <sup>2</sup>	C3 <sup>2</sup>	CP 6, 7	LM	НМ	MP 6, 7	CFD <sup>6</sup>	RV	CONDITION/
RESIDENTIAL USES																							
Single-Family Dwelling Unit	Р	Ρ	Р	Ρ	Р	Ρ	Р	Ρ	Р		Ρ	P <sup>1</sup>	Р	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	Р	Ρ	Р	Ρ			Sec. 3.01.02.1.A.1
Bed & Breakfast Home	Р	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						Ρ	Ρ	Ρ	Р	Р	Ρ												Sec. 3.01.02.A.2
Multi-Family Dwelling Unit							Р	Р	Р	Р	С			Р	Р	Р	Р	P <sup>8</sup>	P <sup>8</sup>				Sec. 3.01.02.A.3
Recreational Vehicle Park																						Р	Sec. 3.01.02.A.5
Mixed-Use Residential District														P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>		P <sup>8</sup>	P <sup>8</sup>				Sec. 3.01.02.G
AGRICULTURAL USES		•							•			•	•	•	•								•
General Agriculture	Ρ																	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	Р		Sec. 3.01.02.B.1
Non-Intensive Agricultural	Р	Р	Р	Ρ																	Р		Sec. 3.01.02.B.2
Agricultural Housing/Camps	С	С																					Sec. 3.12.02.B.4
Chicken Farms	С																						
Egg Processing Facilities	С																						
Exotic Animals	С																						3.01.02.B.14
Family Gardens		Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р										Sec. 3.01.02.B.3
Greyhound Dog Farms	С																						Sec. 3.01.02.B.5
Hog Farms	С																						

Horse-Breeding Farms	Р	Ρ	Ρ	Р																			
Kennels	С														Р		Ρ	Р	Р	Р			Sec. 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						
Mills	С																			Р			Sec. 3.01.2.B.7
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.8
Plant Nurseries *5 acre requirement	Р	С	С	C*										Ρ	Ρ	Р	Ρ						Sec. 3.01.02.B.9
Obnoxious Uses	С													С	С	С	С	С	С	С	С		Chap. II, Definitions
Roadside Farm Stands	Р	Ρ	С																			``	Sec. 3.01.02.B.10
Slaughter Houses	С																		С				
Veterinary Clinics	Ρ										С			С	С	С	Ρ	С	Р	Р			Sec. 3.01.02.B.11
COMMERCIAL USES (S	See P	olicy	1-1.13	3 of C	ompr	ehen	sive F	lan fo	or cor	nmerci	al site	e restrictio	ons in	Emplo	ymen	t Cent	er lan	d use	desigr	nation	.)		
Adult Use															С		С						Sec. 3.01.02.C.2 & Sec. 3.07.00
Amusements, Commercial	С													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														Ρ	Ρ	Ρ	Ρ			Р			Chap. II, Definitions
Consumer Services and Repair															Р		Р	Р		Р		С	Sec 3.01.02.C.7
Electronic Game Room Facility														P <sup>4</sup>			Sec. 3-67, Article X						
Hotel or Motel	1	1				1									Р	Р	Р						Sec.3.01.02.C.8

Marina	С	С	С							Р	Р	Р			Р	Р		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	Ρ	Ρ		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	Ρ	Р					Sec.3.01.02.C.13
Research Services										Р	Р	Р	Р	Р	Р			Sec.3.01.02.C.14
Restaurant, Fast Food									Ρ	Р	Р	Ρ	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	Ρ	Р	Р	Р	Р		С	Sec. 3.01.02.C.17
Retail, General									Р	Р	Р	Р			Р		С	3.01.02.C.18
Self-Service Laundry							Ρ	Р	Ρ	Р		Ρ						Sec. 3.01.02.C.19
Self-Service Storage										С		Р	Р	Р	Р			Sec. 3.01.02.C.20
Theaters										Р		Ρ				Р		Sec. 3.01.02.C.21
Recreational Vehicles																	Р	Sec. 3.01.02.C.21
Truck Yard	С											Р	Р	Р	Р			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	Ρ	Р			Sec.3.01.02.C.24
INDUSTRIAL USES																		
Airport														Р	Р	Р		Sec. 4.01.00
Industrial, Light													Р	Р	Р			Sec. 3.01.02.D.1
Industrial, Heavy	С													Р, С	Р, С			Sec. 3.01.02.D.2
Junkyard												Р		Р	Р			Sec. 3.01.02.D.4
Recycling Center													Р	Р	Р	Р		Sec. 3.01.02.D.3
Trucking Facilities													Р	Р	Р			

COMMUNITY FACILIT	Y USI	ES																					
Assisted Living																					Р		F.S. Ch. 400, Pt.
Facility																							Ш
Cemetery	С																Р				Р		Sec. 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		Sec. 3.01.02.E.3
Comprehensive																					Р		Sec.
Transitional																							3.01.02.E.11
Education Facility																							
Community										Р				Р	Р		Р				Р		Sec. 3.01.02.E.4
Residential Home																							
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															Р	Р	Р				Р		Sec. 3.01.02.E.7
Expressway																					Р		
Interchange, Wekiva																							
Family Day Care	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р				Р		Sec. 3.01.02.E.8
Home																							
Family Residential	Ρ	Р	Р	Р	Ρ	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р						Р		Sec. 3.01.02.E.9
Home																							
Landfill	С																Р	С	С	Р			Sec.
																							3.01.02.E.12
Nursing Home									С	С	С				Р	Р					Р		Sec.
					-	-	-	_	_	_	_			_	_	_		_			_		3.01.02.E.13
Primary or	С	С	С	С	С	С	С	С	Р	Р	Р	С	С	Р	Р	Р		Р			Р		Sec.
Secondary School																				_		_	3.01.02.E.10
Public Safety Service	Р	Р	Ρ	Р	Ρ	Ρ	Ρ	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Sec. 3.01.02.E.16
	Р	Р	Р	Р	Р	Р	Р		Р	Р	Р	Р	Р	Р			Р			Р	Р		
Utilities, Limited	P C	Р		Р	Р	Р	Р	Р	Р	٢	Р	1		P	P P	P P	P	P P	P P	P	P		Sec.3.01.02.E.14 Sec.3.01.02.E.15
Utilities, Major								1	1					۱۲	٢	٢	٢	۱۲	٢	٢	٢		
Wireless Antennas, Towers and																							a., b. & c. below covered in Sec.
Equipment																							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	5.15.00
b. Amateur Radio	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	r -	
Station Operators/			-				F			F		r r								F			
Station Operators/			1	1	1	1		1	1	1			1								1		

Receive Only																							
Antennas																							
c. All others must meet 3.13.00 requirements	С	С	С	С	С	С	С	С	С	С	С	С	C	С	С	С	С	С	С	С	Р	С	
Floating Solar Facility	Р	Р	Р	Ρ	Р	Р	Р	Р	Р	Р	Р	Р	Ρ	Ρ	Р	Ρ	Ρ	Р	Р	Ρ	Р	Ρ	<u>F.S. §163.32051</u>
Solar Facility	<u>P</u>																						F.S. §163.3205
Resiliency Facility														<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>F.S. §163.3210</u>
<b>RECREATIONAL USES</b>										<b>.</b>													
Club Private or Country														Р	Р	Р	Ρ				Р		Sec. 3.01.02.F.1
Riding Stable or Academy	С	С	С																		Р		Sec. 3.01.02.F.2
Parks and Recreation	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P⁵	P⁵	P <sup>5</sup>	P⁵	P⁵	P <sup>5</sup>	P <sup>5</sup>	P <sup>5</sup>	P⁵	P <sup>5</sup>	P⁵	P <sup>5</sup>	P⁵	P <sup>5</sup>	С	Sec. 3.01.02.F.4				
Hunting and Fishing Resorts	С	С	С	С	С										С						Р	С	Sec. 3.01.02.F.3

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Note 1. Only rental mobile home dwelling units are allowed in RMRP.

Note 2. Residences permitted with site plan approval when used in conjunction with business.

Note 3. Agricultural uses in these use classifications are limited to hay production.

- Note 4. Section 3-67, Article X.
- Note 5. Active Recreation Uses as defined by the Comprehensive Plan permitted with site plan approval.
- Note 6. Uses shown as "P" under the CP, MP, and CFD district are only permitted to the extent the use is specifically identified in an approved zoning ordinance for a particular property.
- 9 Note 7. Uses shown as "P" under the CP and MP districts are only permitted to the extent they are specifically identified, or specifically not excluded, in an approved 20 zoning ordinance for a particular property.
- Note 8. Multi-family uses are permitted in LM and HM districts, and Mixed-Use Residential uses are permitted in C-1, C-2, C-3, LM and HM, only if the proposed Multi-family or Mixed-Use Residential developments comply with the requirements of Section 125.01055(7)(a), Florida Statutes, and Section 11-40, Lake County Code. Otherwise, Multi-family uses are not permitted in LM and HM districts, and Mixed-Use Residential is only permitted as otherwise allowed under these regulations.

## 2025-\_\_; Natural Gas Resiliency Facilities / Solar Facilities LDR Amendment

1 Section 4. <u>Inclusion in Code.</u> 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 relettered and the word "ordinance" 4 may be changed to "section", "article", or such other appropriate word or phrase to accomplish 5 such intentions.

7 Section 5. Severability. If any section, sentence, clause, or phrase or word of this 8 Ordinance is for any reason held or declared to be invalid, unconstitutional, inoperative or void by 9 any court of competent jurisdiction, then said holding shall in no way affect the validity of the 10 remaining portion of this Ordinance; and it shall be construed to have been the Commissioners' 11 intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and 12 the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held 13 to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions 14 thereof shall be held inapplicable to any person, groups of persons, property, kind of property, 15 circumstances or set of circumstances, such holding shall not affect the applicability thereof to any 16 other person, property or circumstances.

18 Section 6. <u>Filing with the Department of State.</u> The Clerk shall be and is hereby
19 directed forthwith to send an electronic copy of this Ordinance to the Secretary of State for the
20 State of Florida in accordance with Section 125.66, Florida Statutes.

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21							
22		Section 7.	Effective Date	•. This Ordina	ance shall be	come effective as p	rovided for by
23	law.						
24							
25		ENACTED t	this day of	day of _		, 2025.	
26							
27		FILED with	the Secretary of S	State the	_ day of	, 2025.	
28							
29							
30							
31	ATTE	EST:				F COUNTY COM	
32					OF LAKE	COUNTY, FLORII	DA
33							
34							
35			1	-		·	
36		J. Cooney, Cle			Leslie Cam	pione, Chairman	
37			mmissioners of				2025
38	Lake	County, Florid	a		This d	lay of	, 2025.
39							
40							
41		1	1.1 . 11.				
42	Appro	oved as to form	and legality:				
43							
44							
45		·					
46	Melan	ie Marsh, Cou	inty Attorney				