

ORDINANCE 2023-18

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA PERTAINING TO LAND USE; AMENDING TABLE 23-421, PERMITTED AND SPECIAL EXCEPTION USES IN STANDARD ZONING DISTRICTS, IN CHAPTER 23 OF THE CODE OF ORDINANCES OF THE CITY OF LAKE WALES; PROVIDING FOR SEVERABILITY, CODIFICATION, RATIFICATION, CONFLICTS AND AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ENACTED by the City Commission of the City of Lake Wales, Florida, as follows:

SECTION 1. FINDINGS. The effect of the amendment contained in Section 2 of this Ordinance is to amend Table 23-421.

SECTION 2. AMENDMENT TO TABLE 23-421, CODE OF ORDINANCES OF THE CITY OF LAKE WALES, FLORIDA. That Table 23-421, Division 2, Chapter 23, Zoning, Development, and Land Use Regulation of the Code of Ordinances of the City of Lake Wales, Florida (hereafter “Code”), is hereby amended to add the underlined language to read as follows:

**TABLE 23-421
PERMITTED USES AND SPECIAL EXCEPTION USES IN STANDARD ZONING DISTRICTS**

P - Permitted Use S - Special Exception Use PDP - Planned Development Project MDP - Master Development Plan																					
	R-1A	R-1B	R-1C	R-1D	R-2	R-3															
							PF	PDM	<u>D-</u>	C-1/C-1A	C-2	C-2R	C-3	C-4	C-5 ¹	LC	B	I-I	C	R	
								U	<u>MU</u>												
RESIDENTIAL																					
Dwelling: Single-family	P	P	P	P	P	P	P		MDP			P									
<u>Dwelling: Single-family attached</u>					<u>P</u>	<u>P</u>	<u>P</u>		<u>MDP</u>	<u>S</u>		<u>P</u>									

Recreational vehicle, mobile home, or boat dealers									MDP		S	S	P		S	P	S	PP	
EDUCATIONAL AND CULTURAL																			
Club7							S	MDP	<u>P</u>		P	P	S	P		S	S	P	
Cultural facilities	S	S	S	S	S	S	S	MDP	<u>P</u>		P	P	P	P		P	P	P	P
Day care center3*							P	P	MDP	<u>P</u>		P	P	P	P		P	P	
Religious establishment	P	P	P	P	P	P	P	MDP	<u>P</u>		P	P	P	P		P			P
Schools, athletic or music							S	MDP	<u>S</u>		S	P	S	P		S	S	P	S
Schools, post secondary	S	S	S	S	S	S	S	MDP	<u>P</u>		S	S	S	S		S		S	S
Schools, primary- secondary	P	P	P	P	P	P	P	MDP	<u>S</u>		P	P	P	P		P			
Schools, training (other than athletic or music)							S	MDP	<u>P</u>		P	P	P	P		P	S	P	P
FARMING/OTHER AGRICULTURAL																			

Dormitory						S	S	MDP	S	S	S	S	S						
Hotel								MDP	P	P/S	S	P	P/S	S	P	S			
Motel								MDP		S	S		S	S		S			
INDUSTRIAL USES																			
Assembly and fabrication								MDP				S			P	P	PP		
Laundry and dry cleaning plants								MDP							P	S	PP		
Manufacturing—Light								MDP				S			P	P	PP		
Manufacturing—Heavy																	PS		
Warehouse/Distribution								MDP				S			P	P	PP		
PROFESSIONAL AND COMMERCIAL USES**																			
<i>Artisan Production, small scale</i>								MDP	S	S	S		P	S	S	P	P		
<i>Artisan Production, large scale</i>								MDP				P			P	P			
Bank							P	MDP	P	P	P	P	P	P	P	P			

Bank with drive-up window							S	MDP		S	P	P	P	P	P		P	P	
Construction support—Light								MDP	<u>S</u>	P	P	P	P		P	P	P	PP	
Construction support—Heavy											S		S			S	S	SS	
Funeral home							P	MDP	<u>P</u>	P	P	P	P		P	S		P	
Kennel								MDP					S			S		SS	
Laboratory, research							S	MDP	<u>S</u>		P	S	P			P	P	PP	
Landscaping service								MDP			S		S			P	S	PP	
Laundromat*						S		MDP	<u>P</u>	S	P	S	P		S	S		P	
Mini-storage						S	S	MDP	<u>S</u>		P	S	P		S	S	P	P	PP
Office, professional (except medical)							P	MDP	<u>P</u>	P	P	P	P		P	P	P	P	PP
Personal service						S	S	MDP	<u>P</u>	P	P	P	P		P	P	S		
STORES (See section 23-342 and chapter 5 for regulations on alcoholic beverages.)																			
Convenience store (incl. groceries, drugs, or liquor)								MDP	<u>P</u>	P	S	S	P		P	P		P	

- Conversion of a dwelling unit to a non-residential use requires a special exception use permit, regardless of whether the new use is a permitted (P) or special exception use (S).
- Outdoor storage in BP, I-1, and I-2 is allowed with site plan approval.
- Outdoor display and sales at an otherwise permitted business or enterprise are subject to conditions in [Sec. 23-343](#).
- Planned Development Projects may be approved in any district per the procedure set forth in section 23-224 and per the regulations set forth in section 23-443.
- The addition of an accessory use to a property where the principal use is a special exception use requires is considered an expansion of the special exception use requiring a new special exception use permit prior to construction or commencement of the use. (See also section 23-501, accessory uses and structures).
- Outdoor seating for any establishment must meet conditional use regulations in section 23-353.
- Non-residential uses are permitted as a subordinate part of a residential Planned Development Project and are limited to those uses permitted in the C-4 Neighborhood Commercial zoning district.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4. CODIFICATION. The amendments in Section 2 of this Ordinance shall be codified and made part of the official Code of Ordinances of the City of Lake Wales.

SECTION 5. RATIFICATION. Except for the revisions in Section 2 of this Ordinance, all other provisions of the City’s Code of Ordinances are hereby ratified and shall remain in full force and effect.

SECTION 6. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect in accordance with state law.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2023.

By: _____
Jack Hilligoss Mayor/Commissioner
City of Lake Wales, FL

ATTEST: _____
Jennifer Nanek, CMC, City Clerk