

ORDINANCE 0-25-XX

AN ORDINANCE OF THE TOWN OF LAKE HAMILTON, FLORIDA, PERTAINING TO DESIGN STANDARDS; AMENDING ARTICLE III, LAND USE OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON; DECLARING THIS ORDINANCE IS INTENDED TO SECURE AND PROMOTE THE PUBLIC HEALTH, SAFETY, WELFARE AND QUALITY OF LIFE OF THE PUBLIC; INCLUDING A STANDARD FOR RESTRICTING THE USE OF SHIPPING CONTAINERS IN C-1 AND C-2 ZONING DISTRICTS; ESTABHISHING DESIGN STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Section 163.3167(c) Florida Statutes, empowers the Town to adopt land development regulations to guide the growth and development of the Town, and to amend such regulations from time to time; and

Whereas, the Town Council of the Town of Lake Hamilton has determined it necessary and desirable to revise and amend the regulations encompassed by the Land Development Code of the Town; and

Whereas, pursuant to Section 166.041(c)2 Florida Statutes, the Town Council has held two public hearings to amend the Land Development Code of the Town of Lake Hamilton; and

Whereas, the public hearings were advertised and held with due public notice to obtain public comment; and having considered all written and oral comments received during the public hearings the Town Council finds that the changes are necessary and appropriate to the needs of the Town.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF LAKE HAMILTON, FLORIDA:**

The underlined language in “**red**” is the proposed changes and ~~strike-through language~~ is being removed.

Section 1. Chapter 16, Land Development Code, of the Code of Ordinances is amended as follows:

Sec. 16-108. C-1 Commercial District.

(a) Scope, purpose and permitted uses. This section applies to the C-1 commercial district. The purpose of the C-1 commercial district is to:

- (1) Provide for commercial uses of land and buildings along certain highway frontage in a manner that will recognize its economic utility in servicing the motoring public;
- (2) Establish certain criteria to promote traffic safety in such service; and
- (3) Minimize any adverse effect of such commercial uses on adjoining residential or agricultural districts.

(A) Prohibit the use of metal shipping containers unless a non-metal façade is used to cover the exterior. All roll-up doors shall not be visible from the public roadway.

Permitted principal uses are as provided in Table 16-103.1(A), table of land uses.

(b) Special exception uses.

- (1) Mobile home structures for temporary offices, not to exceed six months in any 18-month period.
- (2) Tents and temporary buildings, not to exceed six months in any 18-month period.

(c) Prohibited uses.

- (1) New single-family residence use.
 - (2) Adult entertainment establishments; also see section 18-1.
 - (3) Adult retail establishments (books, movies, etc.)
 - (4) Hazardous waste treatment, transfer, storage, etc.
 - (5) Landfill, scrap, junk, salvage yard, etc.
 - (6) Manufacture and/or storage of explosive and volatile materials
- (d) Yard and building requirements and height limitations. See chart A-1 in section 16-103.

(Land Development Code 1995, § 2.02.06; Ord. No. 2014-03, § 1,

Sec. 16-109. C-2 Neighborhood Commercial District.

(a) Scope, purpose and permitted uses. This section applies to the C-2 neighborhood commercial district. The purpose of the C-2 district is to provide areas for development of land for all legal retail product sales and services normally located in a central business area. It is intended to include all uses expressly permitted, and those implied which are conducive to commercial center development, primarily to meet the local neighborhood shopping and personal service needs of the surrounding residential area, typically within a one-half mile radius, and to include multi-family residential in a mixed use with neighborhood commercial uses, but to exclude the normal industrial, warehousing, storage and such uses which do not blend with and add to the business activities of retailing of goods and services. Permitted principal uses are as provided in Table 16-103.1(A), table of land uses. Additional uses and standards are enumerated below.

- (1) Grocery stores with each store limited to 22,000 square feet of total floor area. Up to ten percent of additional square footage may be approved by the town council during the site plan approval process.

- (2) Retail/commercial stores for sale of merchandise, directly to the ultimate consumer only, with each use limited to 10,000 square feet of total floor area per establishment, and limited to the following: Hardware, bakery, dairy, meat market, bookstore, newsstand, florist, gift/card shop, sundries, tobacco products, furniture, antique stores, clothes and shoes, jewelry, arts and crafts, pet stores, and picture framing shop.
- (3) Personal and business services with each use limited to 2,500 square feet of total floor area per establishment and limited to the following: travel agency, barbershop, beauty shop, shoe repair, postal facilities, consumer electronics repair and small appliance repair, tailoring and alterations, laundromat open not earlier than 7:00 a.m. and not later than 11:00 p.m., dry cleaning establishment for direct service to customers and with no on-site cleaning facilities, restaurants, and dog groomers.
- (4) Mixed neighborhood commercial uses with residential at a density of up to 9.99 dwelling units per acre, located primarily on the upper floors of two- and three-story structures with ground floor neighborhood commercial stores and businesses.
- (5) Pack and ship/print shop limited to 2,500 square feet of gross area per establishment.
- (6) Offices such as the following, limited to 20,000 square feet per establishment: professional, business offices, medical or dental offices or clinics.
- (7) Banks and financial institutions, including drive-through facilities, limited to 20,000 square feet per establishment.
- (8) Indoor commercial recreation uses limited to martial arts, dance studios, and gyms. There shall be a maximum of 2,500 square feet of total floor area per establishment and no more than one per commercial center.
- (9) Nursery school or child center subject to the following standards:
 - a. Building shall be located at least 25 feet from any R zoned lands and provide an adequate buffer of either a solid masonry wall or five-foot wide compact evergreen hedge not less than five feet in height.
 - b. At least one completely fenced and secure play lot shall be established, maintained, and used for children at play. The fence shall be not less than five feet in height.
 - c. Play lots located closer than 25 feet to the lot line shall be screened by an opaque fence or wall or compact evergreen hedge not less than five feet in height.
- (10) Prohibit the use of metal shipping containers unless a non-metal façade is used to cover the exterior. All roll-up doors shall not be visible from the public roadway.

(b) Accessory uses permitted. Any use normally considered to be clearly incidental and secondary to the permitted use.

(c) Special exception uses. The board of zoning adjustment may permit as a special exception use after a public hearing:

- (1) Any use which the building inspector determines and states in writing to be questionable as to

whether or not it is permitted.

(2) Any church or church uses.

(d) Prohibited uses.

- (1) Any use not specifically permitted.
- (2) Any use which is primarily for storage or warehousing of goods or products for delivery to retailers.
- (3) Any warehousing operation, either within a building or in open yards where the product stored is stored for a fee for others, or for delivery to retailers.
- (4) All manufacturing, assembly or fabrication of parts. This includes commercial printing, except small offset or duplication operation employing not more than four persons; it includes all enterprises designated as manufacturing by a Standard Industrial Classification (SIC) code number assigned by the U.S. Commerce Department.
- (5) New single-family detached residential use.
- (6) Adult entertainment establishments; also see section 18-1.
- (7) Adult retail establishments (books, movies, etc.)
- (8) Hazardous waste treatment, transfer, storage, etc.
- (9) Landfill, scrap, junk, salvage yard, etc.
- (10) Manufacture and/or storage of explosive and volatile materials
- (11) Sales, display, or storage of used merchandise other than antiques.
- (12) Sale and dispensing of automobile fuel.
- (13) Medical marijuana dispensing facilities.

(e) Yard and building requirements and height limitations. See chart A-1 in section 16-103.

(f) Limitations of uses and structures.

- (1) Except for automobile parking lots and play areas of day nurseries of public and private schools all activities of permitted uses, including sale, display, preparation, and storage, shall be conducted entirely within a completely enclosed building.
- (2) Overhead doors or other openings larger than eight feet in width shall not be located on the front or immediate street side elevations of buildings. If oriented toward contiguous residentially zoned land said opening shall be screened with an appropriate buffer.

(g) Drive-through standards. Drive-through facility or use with drive-through service shall comply with the development standards of the zoning district and the general development standards and this section

- (1) Restaurants and retail establishments, such as drug stores and pharmacies, shall provide not less than five stacking spaces at or behind the menu board.
- (2) Financial institutions shall provide not less than three stacking spaces at or behind the pneumatic tube for the drive-through.
- (3) Drive-through stacking lanes shall be delineated from other vehicular use areas by means of a landscaped divider median. Stacking lanes may include part of the drive aisles in a parking area.
- (4) Drive-through lanes that obstruct the pathway between parking areas and entries into the building shall be designed with a pedestrian crossing that is delineated by landscaping, curbing, raised or decorative pavement, and signage.
- (5) Where a drive-through lane intersects a public or private sidewalk, the sidewalk pavement shall be continued through the driveway to clearly delineate the pedestrian network. The maximum width of a driveway shall be 24 feet at the intersection of a public sidewalk.

(6) Hours of operation. When the drive-through facility abuts a residential use or neighborhood zoning district, drive-through services shall be prohibited between the hours of 12:00 a.m. and 6:00 a.m. weekdays and between 1:00 a.m. and 6:00 a.m. on Saturday and Sunday.

(7) Location. Drive-through facilities shall be located to take advantage of the first available alternative in the following prioritized list:

a. Interior side or rear yard when the either yard abuts a nonresidential use;

b. Street side yard when the interior side and rear yard abut an existing residential use or a neighborhood zoning district, or when abutting a nonresidential use, the interior side and rear yard are impractical due to the lot's physical constraints or concerns regarding vehicle and pedestrian safety.

(8) Lighting shall be shielded to prevent spillover into adjacent or abutting residential uses.

(h) Parking and vehicular access. Applicants for new developments or significant redevelopment of site(s) may examine the feasibility of using shared parking arrangements. The town council may approve a shared parking plan for a mixed use or strip center development project.

(1) Shared parking arrangements may be considered when the number of parking spaces requested by the developer/applicant is more than ten percent higher or more than ten spaces higher than the minimum number of parking spaces required by section 16-72, for a site or use, whichever is greater.

(2) The minimum number of parking spaces for a mixed-use or strip center development or where shared parking strategies are proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved procedures. A formal parking study may be waived for small developments where there is established experience with the land use mix and its impact is expected to be minimal.

(3) To minimize the number of driveway access points accessible to the highway, shared vehicular access between adjacent and abutting properties must be provided where feasible.

(i) Landscaping. Landscape plans shall comply with section 16-335 of the Land Development Code.

(j) Blank walls. To create visual interest for pedestrians, safety, and more compelling commercial spaces to encourage business, windows are required at the street level in neighborhood commercial zones. Blank walls, walls without items such as windows or doors or other similar features, cannot exceed 20 feet in width.

(Land Development Code 1995, § 2.02.07; Ord. No. 2014-03, § 1, 7-1-2014;

INTRODUCED AND PASSED on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this ____ day of _____ 2025.

PASSED AND ADOPTED on second reading at the Regular meeting of the Town Council of Lake Hamilton, Florida, held this ____ day of _____ 2025.

TOWN OF LAKE HAMILTON, FLORIDA

Attest with Seal:

Phyllis, Mayor

Jacqueline Borja, Town Clerk

Approved as to Form:

Anthony Sabatini, Town Attorney

Record of Vote	Yes	No
Wagner	_____	_____
Roberson	_____	_____
Mathis	_____	_____
Demanche	_____	_____