

**ORDINANCE NO. 2013-12**

AN ORDINANCE AMENDING CHAPTER 16, LAND DEVELOPMENT CODE, ARTICLE III, LAND USE, DIVISION 2: ZONING DISTRICTS OF THE CODE OF ORDINANCES OF THE TOWN OF LAKE HAMILTON FLORIDA BY ADOPTING A SECTION 16-103.1 ZONING DISTRICT SUMMARY TABLES FOR ALL ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR 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 PEOPLE OF THE TOWN OF LAKE HAMILTON, FLORIDA:**

**Section 1.** The Zoning District Summary Tables contained in Exhibit "A" to this Ordinance are adopted and shall be codified as regulations of Chapter 16, Article III, Land Use, Division 2: Zoning Districts of the Land Development Code of the Town of Lake Hamilton.

**Section 2.** All existing ordinances of the Town of Lake Hamilton in conflict with this Ordinance are repealed to the extent necessary to give this ordinance full force and effect.

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

**Section 4.** Any scrivener's error created as a result of the passage of this ordinance may be corrected by the Mayor of the Town of Lake Hamilton, without further legislative action, so long as the intent of this ordinance is preserved, by filing a revised copy thereof with the Town Clerk's office with the terms "Mayor Revised" and the revision number in the style of the ordinance.

**Section 5.** This Ordinance shall take effect immediately upon its passage and approval as a non-emergency ordinance at two regular meetings of the Town Council.

**INTRODUCED AND PASSED** on first reading at the regular meeting of the Town Council of Lake Hamilton, Florida, held this \_\_\_\_ day of October, 2013.

**PASSED AND FINALLY ADOPTED** on second reading at the Regular meeting of the Town Council of Lake Hamilton, Florida, held this \_\_\_\_ day of November, 2013.

**TOWN OF LAKE HAMILTON, FLORIDA**

\_\_\_\_\_  
Ralph N. Harris, Council Chairman

Approved:

\_\_\_\_\_  
Marlene M. Wagner, Mayor

Date: \_\_\_\_\_

Attest with Seal:

\_\_\_\_\_  
Sara Irvine, Town Clerk

Approved as to Form:

\_\_\_\_\_  
Heather R. Christman, Town Attorney

**CHAPTER 16: LAND DEVELOPMENT CODE, ARTICLE III: LAND USE**  
**DIVISION 2: ZONING DISTRICTS**

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

**Sec. 16-103.1 Zoning District Summary Tables**

The tables on the following pages present, in a quick-reference form, information regarding permitted uses, and development standards for all zoning districts. These tables must be read in conjunction with the regulations for specific zoning districts in Section 16-104. The Development Director may permit in a particular zone a use not listed in this Code, provided the use is of the same general type as the uses permitted there by this Code. The key to the table is as follows:

P = Permitted Use – Use is permitted by right subject to all other applicable standards

PC = Permitted with Conditions – Use is permitted if it meets the listed conditions in Article 5, and subject to all other applicable standards. At the Development Director's discretion, any development larger than 5 acres or development that may have compatibility concerns may be sent to the Planning Commission for approval.

**Chart A – Uses Allowed Table 16-103.1(A)**  
**Table of Land Uses**

| Use/Activity                | Zoning Districts |     |     |     |     |     |      |     |     |     |    |      |
|-----------------------------|------------------|-----|-----|-----|-----|-----|------|-----|-----|-----|----|------|
|                             | AG               | R-1 | R-2 | R-3 | R-4 | RMF | MH-1 | C-1 | C-2 | M-1 | PL | PARK |
| AGRICULTURE                 |                  |     |     |     |     |     |      |     |     |     |    |      |
| Agriculture                 | XP               |     |     |     |     |     |      |     |     |     |    |      |
| Servant & Domestic Quarters | X                |     |     |     |     |     |      |     |     |     |    |      |
| RESIDENTIAL                 |                  |     |     |     |     |     |      |     |     |     |    |      |
| Single family               | XP               | XP  | XP  | XP  | XP  | XP  |      |     |     |     |    |      |
| Existing Single family      | P                | P   | P   | P   | P   | P   | P    | P   | P   |     |    |      |

| Use/Activity                                        | Zoning Districts |     |     |     |     |     |      |     |     |     |    |      |
|-----------------------------------------------------|------------------|-----|-----|-----|-----|-----|------|-----|-----|-----|----|------|
|                                                     | AG               | R-1 | R-2 | R-3 | R-4 | RMF | MH-1 | C-1 | C-2 | M-1 | PL | PARK |
| Single family, modular                              | P                | P   | P   | P   | P   | P   |      |     |     |     |    |      |
| Accessory Dwelling Units                            |                  | P   | P   | P   | P   |     |      |     |     |     |    |      |
| Mobile home park                                    |                  |     |     |     |     |     | PC   |     |     |     |    |      |
| Duplex                                              |                  |     |     |     |     | XP  |      |     |     |     |    |      |
| Townhouses                                          |                  |     |     |     |     | P   |      |     |     |     |    |      |
| Apartments - 1-4 units                              |                  |     |     |     |     | P   |      |     |     |     |    |      |
| Apartments - 5+ units                               |                  |     |     |     |     | PC  |      |     |     |     |    |      |
| Multi-family                                        |                  |     |     |     |     | X   |      |     |     |     |    |      |
| GROUP CARE FACILITIES                               |                  |     |     |     |     |     |      |     |     |     |    |      |
| Foster Home                                         |                  | P   | P   | P   | P   | P   |      |     |     |     |    |      |
| Group Home (w/out medical)                          |                  | P   | P   | P   | P   | P   |      |     |     |     |    |      |
| Group Home (with medical)                           |                  | P   | P   | P   | P   | P   |      |     |     |     |    |      |
| Nursing Home                                        |                  | P   | P   | P   | P   | P   |      |     |     |     |    |      |
| TEMPORARY LODGING                                   |                  |     |     |     |     |     |      |     |     |     |    |      |
| Bed and Breakfast                                   |                  | P   | P   | P   | P   | P   |      |     |     |     |    |      |
| Hotels, Motels                                      |                  |     |     |     |     |     |      | P   |     | P   |    |      |
| RV Park/camp ground                                 |                  |     |     |     |     |     | PC   |     |     |     |    |      |
| RETAIL COMMERCIAL, NO OUTDOOR STORAGE               |                  |     |     |     |     |     |      |     |     |     |    |      |
| Commercial Uses - General                           |                  |     |     |     |     |     |      | XP  |     | XP  |    |      |
| Service Stations                                    |                  |     |     |     |     |     |      | XP  |     | XP  |    |      |
| motels or hotels                                    |                  |     |     |     |     |     |      | XP  |     | XP  |    |      |
| restaurants                                         |                  |     |     |     |     |     |      | XP  |     | XP  |    |      |
| sales and service                                   |                  |     |     |     |     |     |      | XP  |     | XP  |    |      |
| Outdoor Amusement Enterprise or Recreation Facility |                  |     |     |     |     |     | P    | P   | P   |     | P  |      |

| Use/Activity                                                   | Zoning Districts |     |     |     |     |     |      |     |     |     |     |      |
|----------------------------------------------------------------|------------------|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|------|
|                                                                | AG               | R-1 | R-2 | R-3 | R-4 | RMF | MH-1 | C-1 | C-2 | M-1 | PLJ | PARK |
| Commercial Uses - Neighborhood                                 |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Beauty and Barber Shops                                        |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Shoe Repair                                                    |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Book and Record Sales                                          |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Laundry Pick-up and Delivery                                   |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Antiques Shops                                                 |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Camera & Photographic Supplies & Sales                         |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Pharmaceutical sales                                           |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Custodial care centers for preschoolers or elderly persons     |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Cocktail lounge or package store                               |                  |     |     |     |     |     |      | XP  | XP  |     |     |      |
| Educational Facilities                                         |                  |     |     |     |     |     |      | X   | X   |     |     |      |
| Shop or Store Building with Drive-thru facility                |                  |     |     |     |     |     |      | X   |     | X   |     |      |
| Restaurant, with incidental consumption of alcoholic beverages |                  |     |     |     |     |     |      | P   | P   |     |     |      |
| Veterinary clinic with no outdoor kennel                       | PC               |     |     |     |     |     |      | PC  | PC  | PC  |     |      |
| RETAIL COMMERCIAL, OUTDOOR STORAGE                             |                  |     |     |     |     |     |      |     |     |     |     |      |
| Retail Sales or Rentals                                        |                  |     |     |     |     |     |      | XP  | XP  | XP  |     |      |
| Commercial Uses - General                                      |                  |     |     |     |     |     |      | P   | P   | P   |     |      |
| Outdoor Amusement Enterprise or Recreation Facility            |                  |     |     |     |     |     |      | P   | P   | P   |     | P    |
| Building Material supply and sales                             |                  |     |     |     |     |     |      | P   | P   | P   |     |      |
| Flea market                                                    |                  |     |     |     |     |     |      | PC  | PC  | PC  |     |      |
| Veterinary clinic with outdoor kennel                          | PC               |     |     |     |     |     |      | P   | P   | P   |     |      |
| TRANSPORTATION/MOTORIZED ENTERTAINMENT FACILITIES              |                  |     |     |     |     |     |      |     |     |     |     |      |
| Heliport, STOL or Sea Plane Facility                           | XP               |     |     |     |     |     |      |     |     |     |     | XP   |

| Use/Activity                                                                                                      | Zoning Districts |     |     |     |     |     |      |     |     |     |    |      |
|-------------------------------------------------------------------------------------------------------------------|------------------|-----|-----|-----|-----|-----|------|-----|-----|-----|----|------|
|                                                                                                                   | AG               | R-1 | R-2 | R-3 | R-4 | RMF | MH-1 | C-1 | C-2 | M-1 | PL | PARK |
| AUTOMOTIVE/VEHICLE SALES, REPAIR, PARTS                                                                           |                  |     |     |     |     |     |      |     |     |     |    |      |
| Service Stations                                                                                                  |                  |     |     |     |     |     |      | P   |     | P   |    |      |
| Automotive                                                                                                        |                  |     |     |     |     |     |      | P   |     | P   |    |      |
| Car wash                                                                                                          |                  |     |     |     |     |     |      | P   |     | P   |    |      |
| Farm machinery and equipment rental                                                                               |                  |     |     |     |     |     |      | P   |     | P   |    |      |
| Recreational vehicle or travel trailer sales and service                                                          |                  |     |     |     |     |     |      |     |     |     |    |      |
| Mobile home businesses                                                                                            |                  |     |     |     |     |     |      | P   |     | P   |    |      |
| OFFICE/FINANCIAL/MEDICAL FACILITIES                                                                               |                  |     |     |     |     |     |      |     |     |     |    |      |
| Professional Offices                                                                                              |                  |     |     |     |     |     |      | XP  | XP  | XP  |    |      |
| Medical or dental offices                                                                                         |                  |     |     |     |     |     |      | XP  | XP  | XP  |    |      |
| Legal, real estate, insurance, finance, trade organizations, cooperatives                                         |                  |     |     |     |     |     |      |     |     |     |    |      |
| Government where the principal use is that of providing services, but not primarily of a retail point of delivery |                  |     |     |     |     |     |      | XP  | XP  | XP  |    |      |
| LIGHT INDUSTRIAL                                                                                                  |                  |     |     |     |     |     |      |     |     |     |    |      |
| Medical or Dental Clinics or Hospitals                                                                            |                  |     |     |     |     |     |      | XP  |     | XP  |    |      |
| Warehousing and Wholesale, without outdoor storage                                                                |                  |     |     |     |     |     |      | P   | P   |     |    |      |
| HEAVY INDUSTRIAL, OUTDOOR STORAGE PERMITTED                                                                       |                  |     |     |     |     |     |      |     |     |     |    |      |
| Warehousing and Wholesale, with outdoor storage                                                                   |                  |     |     |     |     |     |      |     |     |     |    |      |
| Transmission Tower                                                                                                | XP               |     |     |     |     |     |      | XP  |     | XP  |    | XP   |

| Use/Activity                                 | Zoning Districts |     |     |     |     |     |      |     |     |     |     |
|----------------------------------------------|------------------|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|
|                                              | AG               | R-1 | R-2 | R-3 | R-4 | RMF | MH-1 | C-1 | C-2 | M-1 | P/L |
| <b>PUBLIC SERVICE FACILITIES</b>             |                  |     |     |     |     |     |      |     |     |     |     |
| Utilities                                    | XP               | XP  | XP  | XP  | XP  | XP  |      | XP  | XP  | XP  | XP  |
| Power substation                             |                  | P   | P   | P   | P   | P   | P    |     |     |     |     |
| Sewer lift station                           |                  | P   | P   | P   | P   | P   | P    |     |     |     |     |
| Public                                       |                  |     |     |     |     |     |      |     | XP  | XP  | XP  |
| Telephone switching station                  |                  | P   | P   | P   | P   | P   | P    |     |     |     |     |
| <b>EDUCATIONAL/CULTURAL FACILITIES</b>       |                  |     |     |     |     |     |      |     |     |     |     |
| Public Schools                               | XP               | XP  | XP  | XP  | XP  | XP  |      | XP  | XP  |     | XP  |
| Private Schools                              |                  |     |     |     |     | XP  |      | XP  | XP  |     |     |
| Educational Facilities, public or private    |                  |     |     |     |     |     |      | XP  | XP  |     |     |
| <b>PLACES OF PUBLIC ASSEMBLY</b>             |                  |     |     |     |     |     |      |     |     |     |     |
| Existing Permitted Places of Public Assembly |                  | P   | P   | P   | P   | P   | P    |     |     |     |     |
| Civic Club                                   |                  |     |     |     |     |     |      | P   | P   | P   | P   |
| Churches & Church Uses Places of Worship     | XP               |     |     |     |     | XP  |      | XP  | XP  | XP  | P   |
| Community Center                             |                  |     |     |     |     |     |      | P   | P   | P   | P   |
| <b>PASSIVE RECREATION/CONSERVATION USES</b>  |                  |     |     |     |     |     |      |     |     |     |     |
| Private Boat Ramps, Docks, Bathhouse, etc    | XP               | XP  | XP  | XP  | XP  | XP  |      | XP  | XP  |     | P   |
| Passive Park                                 |                  | P   | P   | P   | P   | P   | P    |     |     |     | P   |

*Comment: An explanation of the zoning district summary tables has been added for clarification. The Table of Uses has been reformatted to list the zoning districts on the top and the uses on the left side. The designations on the Table have been changed from "X" to "P" to reflect a permitted use. "Servant and Domestic Quarters" deleted because it is an outdated use.*