

ORDINANCE 2018-40

TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 5 OF THE LADY LAKE LAND DEVELOPMENT REGULATIONS, PROVIDING A NEW ZONING CLASSIFICATION TO ALLOW FOR FOUR DWELLING UNITS PER ACRE RESIDENTIAL LAND DESIGNATION, REFERRED TO AS SINGLE FAMILY MODERATE DENSITY RESIDENTIAL “RS-4”; PROVIDING FOR MANDATORY SEWER CONNECTION IN ALL ZONING DISTRICTS HAVING A DENSITY GREATER THAN FOUR DWELLING UNITS PER ACRE PLATTED AFTER SEPTEMBER 19, 2018; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on August 15, 1994, the Town Commission of the Town of Lady Lake (the “Town”) adopted the Town of Lady Lake Land Development Regulations (the “LDRs”) in accordance with the Lady Lake Comprehensive Plan and Chapter 163, Florida Statutes, pertaining to land use planning and growth management issues; and

WHEREAS, the Town has amended its LDRs from time to time in order to more effectively implement the provisions of the Lady Lake Comprehensive Plan and to provide for consistency between the Lady Lake Comprehensive Plan and the LDRs; and

WHEREAS, the Town desires to add a new land use category referred to as Single Family Moderate Density Residential “RS-4” for single-family dwelling units at densities not to exceed four dwelling units per acre; and

WHEREAS, the purpose of the Single Family Moderate Density Residential “RS-4” designation is to implement comprehensive plan policies for managing moderate density, single-family residential development at a density not to exceed four (4) single-family dwelling units per acre. The RS-4 district is established to preserve the stability of existing and future conventional single-family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments and natural features of the land, as well as existing and projected public services and facilities within the area; and

WHEREAS, the Town has already established a Future Land Use Classification of Single Family Medium Density “SF-MD” within the Lady Lake Comprehensive Plan which is adequate to provide for residential development up to six dwelling units per acre, and desires to amend the LDRs to include the Single Family Medium Density Residential “RS-4” land use

designation, and to list permitted or allowable uses within said designation and establish minimum design criteria for development within the Single Family Moderate Density Residential “RS-4” land use designation.

THEREFORE, BE IT ORDAINED, and enacted by the Town Commission of the Town of Lady Lake, in Lake County, Florida:

SECTION 1: AMENDMENT.

“The Land Development Regulations of the Town of Lady Lake, Florida,” dated August 15, 1994 (the “Land Development Regulations”) is hereby amended as provided below:

Chapter 5, Section 4, adding a new Paragraph “d” as set forth in Exhibit “A” hereto. Paragraph “d” establishes a four dwelling units-per-acre maximum density and cites permitted uses for a new residential category intended for the development of single-family housing opportunities. The amendment also provides for mandatory sewer connection in all zoning districts having a density greater than four dwelling units per acre platted after September 19, 2018.

SECTION 2: SEVERABILITY.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

SECTION 3: CONFLICTS.

All ordinances or part of the ordinances in conflict with any provisions of this Ordinance are hereby repealed.

SECTION 4: CODIFICATION.

The provisions of this Ordinance shall be codified as and become part of the Town’s Land Development Regulations. The sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word “Ordinance,” or similar words, may be changed to “Section,” “Article,” or other appropriate word.

SECTION 5: APPLICABILITY.

This Ordinance does not have retroactive applicability and does not apply to applications filed prior to the effective date of this Ordinance.

SECTION 6: EFFECTIVE DATE.

This ordinance shall become effective upon adoption.

PASSED AND ORDAINED this 19th day of **September, 2018**, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon the second and final reading.

Town of Lady Lake, Florida

Jim Richards, Mayor

Attest:

Kristen Kollgaard, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney

EXHIBIT “A”

Town of Lady Lake Land Development Regulations

Creation of Single Family Moderate Density Residential (RS-4) Zoning District

Placement of the new Paragraph “d” will cause the subsequent paragraphs pertaining to zoning districts to shift in codification as follows:

- a) AG-1 “Agricultural Residential”
- b) RS-1 “Single Family Very Low Density Residential”
- c) RS-3 "Single Family Low Density Residential"
- d) RS-4 “Single Family Moderate Density”
- e) RS-6 "Single Family Medium Density"
- f) MX-5 "Mixed Low Density Residential"
- g) MX-8 "Residential Medium Density"
- h) MH-9 "Manufactured Homes High Density"
- i) MF-12 "Multi-Family High Density Low Rise"
- j) MF-18 “Multi-Family 18-Unit”
- k) RP "Residential Professional"
- l) CT "Commercial Tourist"
- m) LC "Light Commercial"
- n) HC "Heavy Commercial/Wholesale Commercial"
- o) I "Industrial"
- p) PUD "Planned Unit Development"
- q) PFD "Public Facilities District"
- r) CP "Planned Commercial"

Size and Dimension Criteria:

- d) RS -4 "Single-Family Moderate Density Residential"

This district is established to implement comprehensive plan policies for managing moderate-density, single-family residential development at a density not to exceed four single-family dwelling units per acre. The RS-4 district is established to implement comprehensive plan policies for managing moderate density, single-family residential development at a density not to exceed four single-family dwelling units per acre. The RS-4 district is established to preserve the stability of existing and future conventional single-

family residential neighborhoods, preserve open space, and manage future densities in order to assure that future densities are compatible with existing developments and natural features of the land, as well as existing and projected public services and facilities within the area.

1) Permitted Uses

- A) Single-family detached dwelling units.
- B) Guest or servant quarters not to exceed 30% of living area of the principal dwelling unit pursuant to Miscellaneous Regulations chapter of this Code.
- C) Customary accessory structures and uses incidental to the principal structure. Accessory structures shall be limited in size to a maximum of 45% of the square footage of the principal structure.
- D) Community Residential Homes with one to six residents.
- E) Home Occupations pursuant to Miscellaneous Regulations chapter of this Code.
- F) Neighborhood recreational facilities.
- G) Agriculture. A minimum of five acres is required for the keeping, harboring or maintaining of livestock or fowl. Accessory structures and uses incidental to agricultural activity shall maintain a setback of two-hundred feet from any lot line.
- H) Family Child Care Home.

2) Uses Permitted as Special Exception Use Upon Approval

- A) (Licensed) Community Residential Homes with more than six (6) residents.

3) Public use recreation facilities, including marinas. Uses Expressly Prohibited

- A) Single-family attached dwelling units.
- B) Multi-Family residential dwelling units.
- C) Two family (duplex) dwelling units.
- D) Commercial land uses.
- E) Industrial land uses.
- F) Any use prohibited by Town, State or Federal law.
- G) Manufactured Homes (SDMH and RDMH).
- H) Bed & Breakfast Inn.

4) Design Standards

A) Minimum lot area shall be .20 acres (8,500 square feet). Subdivisions may be designed to allow clustering of residential dwelling units; however, overall density may not exceed four dwelling units per acre.

B) Minimum lot width at the building setback line shall be 100 feet. Minimum lot widths may be reduced to 60 feet if clustering of units is provided.

C) Maximum building height shall not exceed 35 feet.

D) Minimum setback requirements

1. Front Yard Setback

- a. Local roadway: 25 feet.
- b. Collector Roadway: 30 feet.
- c. Arterial Roadway: 50 feet.

2. Side Yard Setback When Adjoining

- a. Another lot: six feet.
- b. Local Roadway: 25 feet.
- c. Collector Roadway: 30 feet.
- d. Arterial Roadway: 50 feet.

3. Rear Yard Setback: 20 feet

4. Where a front yard of lesser depth than required exists in front of dwellings on more than 60 percent of lots of record on one side of the street in any one block in an RS-4 district, the depth of the front yard for any building hereafter erected or replaced on any lot in such block need not be greater than the average depth of front yards of existing buildings.

E) The maximum impervious surface ratio (which includes building coverage) shall not exceed 45 percent.

F) Minimum floor area shall be not less than 1,000 square feet which does not include porches, garages, utility rooms, etc.

G) All lots zoned RS-4 must be served by a Central Sewer connection.

EXHIBIT "B"

CHART 5: Schedule of Dimensional Requirements

DISTRICT	MINIMUM LIVING AREA/D.U. (SQ. FT.)	MINIMUM LOT AREA (SQ.FT.) WITH SEPTIC TANK	MINIMUM LOT AREA (SQ.FT.) WITH CENTRAL SEWER	MINIMUM LOT WIDTH (FEET) WITH SEPTIC TANK	MINIMUM LOT WIDTH (FEET) WITH CENTRAL SEWER	MAXIMUM IMPERVIOUS SURFACE RATIO	MINIMUM OPEN SPACE	MAXIMUM HEIGHT (FEET)
AG-1	1000	1 ACRE	1 ACRE	150	150	25%	N/A	35
RS-1	1000	1 ACRE	1 ACRE	100	100	35%	N/A	35
RS-3	1000	14,500*	14,500	100	100	35%	N/A	35
RS-4	1000	NA	8,500	NA	75	45%	N/A	35
RS-6	1000	12,500 [#]	7,000	100 [#]	75	45%	N/A	35
MX-5	850	12,500 [#]	8,700	100 [#]	60	45%	N/A	35
MX-8	800	12,500 [#]	5,000	100 [#]	50	60%	N/A	35**
MH-9	800	12,500 [#]	5,000	100 [#]	50	60%	N/A	35
MF-12 SF	800	12,500 [#]	5,000	100 [#]	60	60%	N/A	35
MF-12 DP	1 BD-550 2 BD-700 3 BD-850	12,500 [#]	9,000	100 [#]	60	60%	N/A	35
MF-12 MF	1 BD-550 2 BD-700 3 BD-850	15,000 [#]	15,000	100 [#]	100	65%	N/A	35**
MF-18 SF	800	12,500 [#]	4,500 Detached 3,000 Attached	100 [#]	50	60%	N/A	35
MF-12 DP	1 BD-550 2 BD-700 3 BD-850	12,500 [#]	9,000	100 [#]	60	60%	N/A	35
MF-18 MF	1 BD-550 2 BD-700 3 BD-850	15,000 [#]	15,000	100 [#]	100	65%	N/A	45**
RP	MF-12 ***	12,500	10,000	100	100	75%	25%	35**
CT	N/A	15,000	15,000	100	100	80%	20%	35**
LC	MF-12 ***	NONE	NONE	NONE	NONE	80%	20%	35**
HC	MF-12 ***	NONE	NONE	NONE	NONE	80%	20%	35**
I	MF-12 ***	NONE	NONE	NONE	NONE	75%	25%	35**

NOTES: Lot widths are measured along the front property line unless the lot is located on a cul-de-sac in which case the lot width shall be measured along the building setback line. DP - duplex, MF - multi-family

*Property must be served by central water. If individual well is used for potable water, the minimum lot size is 1/2 acre.

** Maximum building heights may be increased if adequate fire protection measures are provided. (See Building and Fire Codes chapter.)

*** Reference MF-12 Regulations if a residential use is proposed.

Residential Subdivisions and Multi-Family Developments platted or granted site plan approval after September 19, 2018, shall be required to connect to the Central Wastewater System.

EXHIBIT "C"

CHART 5-2: Schedule of Setback Requirements

Minimum Building Setback in Feet

District	Front Local	Front Collector	Front Arterial	Side (adjoining) Another Lot	Side (adjoining) Local	Side (adjoining) Collector	Side (adjoining) Arterial	Rear
AG-1	25	30	50	8	25	30	50	20
RS-1	25	30	50	10	25	30	50	20
RS-3	25	30	50	8	25	30	50	20
RS-4	25	30	50	6	25	35	50	20
RS-6	25	35	50	6	25	35	50	20
MX-5	25	35	50	6	25	35	50	20
MX-8	20	35	50	5	20	35	50	10
MH-9	25*	35	50	5	25*	35	50	10
MF-12 SF	25	35	50	7.5	25	35	50	20
MF-12 DP	25	35	50	15	25	35	50	20
MF-12 MF	25	35	50	10	25	35	50	20***
MF-18 SF	25	35	50	5	25	35	50	20
MF-18 DP	25	35	50	10	25	35	50	20
MF-18 MF	25	35	50	20	25	35	50	20***
RP	25	30	50	**	**	**	**	**
CT	25	35	50	10	25	35	50	20
LC	25	35	50	5	25	35	50	15
HC	25	35	50	5	25	35	50	15
I	25	30	50	20	25	30	50	20

* 20 feet off of interior paved streets

** Setbacks for side and rear shall be equivalent to the proposed land use as identified above.

*** Each additional story will add 5 feet to the rear setback.