

ORDINANCE NO. 2021-2201

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AMENDING SECTION 2-82 OF THE CODE OF ORDINANCES, CITY OF LAKE CITY, RELATING TO THE PLANNING AND ZONING BOARD; PROVIDING FOR THE AMENDMENT OF SECTION 3.1 OF THE LAND DEVELOPMENT REGULATIONS FOR THE CITY OF LAKE CITY, FLORIDA; PROVIDING FOR THE APPOINTMENT AND TERMS OF MEMBERS TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of ordinances of the City of Lake City, Florida (hereinafter the “City”) contains provisions related to a board titled the “Planning and Zoning board” (hereinafter the “Board”); and

WHEREAS, Article III, Section 2-82, Lake City Code, established and provides for the appointees and the term of office of each of the seven (7) seats that comprise the Board; and

WHEREAS, the terms of the seven (7) seats of the Board are to be staggered so as to provide a quorum at all times when the seven (7) seats of the Board are filled by appointments; and

WHEREAS, the City Council finds it necessary to amend Article III, Section 2-82 of the Code of Ordinances to provide for the appointees and the term of office of each of the seven (7) seats that comprise the Board.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:

Section 1. The above recitals are all true and accurate and are hereby incorporated herein and made a part of this resolution.

Section 2. That Article III, Section 2-82, of the Code of Ordinances and Section 3.1, of the Land Development Regulations for the City of Lake City,

Florida, are hereby amended to read as follows (words underlined are additions; words ~~stricken~~ are deletions):

Sec. 2-82. - Creation; appointment of members; terms.

There is hereby established and created the city planning and zoning board which shall consist of seven members appointed by the council. All seven members shall be appointed for staggered terms of four years each and shall hold office until their successors have been appointed and qualify. All members of the board shall be residents of the city. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. All appointments of the seven members to the board shall be made by resolution adopted by the council.

Pursuant to section 163.3174, F.S., the planning and zoning board shall include a representative of the school district as a nonvoting eight member. The District School Board of Columbia County shall appoint the nonvoting representative of the school district to the planning and zoning board. The nonvoting school district representative shall attend planning board meetings at which the planning board considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. The nonvoting school district representative shall be appointed for a four (4) year term, said term to be established by the council, and shall hold office until their successor has been appointed.

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SECTION 3.1 PLANNING AND ZONING BOARD

3.1.1 Planning and Zoning Board: Organization

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- 3.1.1.2. Appointment. The Planning and Zoning Board shall consist of seven (7) residents of the City who shall be appointed by the City Council. No member of the Planning and Zoning Board shall be a paid or elected official or employee of the City. The City Council may by resolution designate members of the Planning and Zoning Board to perform the functions of the Board of Adjustment. If the City Council so elects, the terms of office of members of the Planning and Zoning Board shall run concurrently with said members term of office on the Board of Adjustment.

Pursuant to section 163.3174, F.S., the planning and zoning board shall include a representative of the school district as a nonvoting eight member. The District School Board of Columbia County shall appoint the nonvoting representative of the school district to the planning and zoning board. The nonvoting school district representative shall attend planning board meetings at which the planning board considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. The nonvoting school district representative shall be appointed for a four (4) year term, said

term to be established by the council, and shall hold office until their successor has been appointed.

- 3.1.1.3 Term of Office. The term of office shall be for ~~three (3)~~ staggered terms of four (4) years each and shall hold office until their successors have been appointed and qualify. ~~provided, however, that of the seven (7) members first appointed to the Planning and Zoning Board at the effective date of these land development regulations two (2) shall be appointed for one year, two (2) shall be appointed for two (2) years, and three (3) shall be appointed for three (3) years, and that all appointments thereafter shall be for three (3) years.~~

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Section 3. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake City, that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 4. If any clause, section, or other part or application of this Ordinance shall be held in any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part or application shall be considered as eliminated and shall not affect the validity of the remaining portions or applications which shall remain in full force and effect.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Effective Date. This ordinance shall be effective as of the date of its adoption.

PASSED upon first reading this _____ day of _____ 2021.

NOTICE PUBLISHED on this _____ day of _____ 2021.

PASSED AND ADOPTED on the second and final reading this _____ day of _____ 2021.

CITY OF LAKE CITY, FLORIDA

By: _____
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND
LEGALITY:

By: _____
Audrey E. Sikes, City Clerk

By: _____
Frederick L. Koberlein, Jr.,
City Attorney