

ORDINANCE NO. 2020-2167

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING ORDINANCE NO. 91-688, AS AMENDED, RELATING TO AN AMENDMENT TO THE TEXT OF THE CITY OF LAKE CITY COMPREHENSIVE PLAN, PURSUANT TO APPLICATION, CPA 20-06, BY THE CITY COUNCIL, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING POLICY I.1.2 OF THE FUTURE LAND USE ELEMENT BY CHANGING THE FLOOR AREA RATIO FROM LESS THAN OR EQUAL TO 0.50 TO LESS THAN OR EQUAL TO 1.0 WITHIN THE INDUSTRIAL LAND USE CLASSIFICATION; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 166.021, Florida Statutes, empowers the City Council of the City of Lake City, Florida, hereinafter referred to as the City Council, to prepare, adopt and implement a comprehensive plan;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, the Community Planning Act, empowers and requires the City Council to prepare, adopt and implement a comprehensive plan;

WHEREAS, an application for an amendment, as described below, has been filed with the City;

WHEREAS, the Planning and Zoning Board of the City of Lake City, Florida, hereinafter referred to as the Planning and Zoning Board, has been designated as the City of Lake City Local Planning Agency of the City of Lake City, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and the Land Development Regulations, the Planning and Zoning Board, serving also as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Planning and Zoning Board, serving also as the Local Planning Agency, reviewed and considered all comments received during said public hearing concerning said application for an amendment, as described below, and recommended to the City Council approval of said application for amendment, as described below;

WHEREAS, the City Council held the required public hearings, with public notice having been provided, under the procedures established in Sections 163.3161 through 163.3248, Florida Statutes, as amended, on said application for an amendment, as described below, and at said public hearings, the City Council reviewed and considered all comments received during said public hearings, including the recommendation of the Planning and Zoning Board, serving also as the Local Planning Agency, concerning said application for an amendment, as described below;

WHEREAS, the City Council, found said application for an amendment, as described below, to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the Comprehensive Plan; and

WHEREAS, the City Council, has determined and found that approval of an application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

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

Section 1. Pursuant to an application, CPA 20-06, by the City Council, to amend the text of the Comprehensive Plan, Policy I.1.2 of the Future Land Use Element of the Comprehensive Plan, is hereby amended to read, as follows:

Policy I.1.2

The land development regulations of the City shall be based on and be consistent with the following land use classifications and corresponding standards for densities and intensities and shall establish the following floor area ratio(s) to be applied to each classification of land use:

AGRICULTURAL

Agriculturally classified lands are lands which are predominately used for crop cultivation, livestock, specialty farms, silviculture and dwelling units. In addition, the processing, storage and sale of agricultural products and commodities which are not raised on the premises, riding or boarding stables, commercial kennels, veterinary clinics and animal shelters, group homes, child care centers, home occupations, private clubs and lodges, off-site signs, cemeteries and crematories, and other similar uses compatible with agricultural uses may be approved as special exceptions and be subject to an intensity of less than or equal to 1.0 floor area ratio.

Agricultural density shall be limited to less than or equal to 1 dwelling unit per 10 acres.

CONSERVATION

Lands classified as conservation use are lands devoted to the conservation of the unique natural functions within these lands.

Conservation uses shall be limited to public access, native vegetative community restoration, and residential and non-residential uses necessary to manage such conservation lands (i.e., ranger stations, research stations and park amenities).

PUBLIC

Lands classified as public consist of public buildings and grounds, other public facilities (including sewer facilities, solid waste facilities, drainage facilities and potable water facilities), public health facilities, and educational uses.

Public uses shall be limited to an intensity of less than or equal to 1.0 floor area ratio.

RECREATION

Lands classified as recreation use consist of areas used for user based and resource based recreation uses.

Recreation uses shall be limited to an intensity of less than or equal to 0.25 floor area ratio.

RESIDENTIAL

Residential use classifications provide locations for dwelling units at low, moderate medium, and high density within the City as defined within this Comprehensive Plan. Public, charter, and private elementary and middle schools are permitted within low and moderate density residential land use classifications. Public, charter, and private elementary, middle schools and high schools are permitted in medium and high density residential land use classifications. In addition, churches and other houses of worship, golf courses, country clubs, racquet and tennis clubs, cemeteries and mausoleums, private clubs and lodges, home occupations, child care centers, group homes, commercial greenhouses and plant nurseries, and other similar uses compatible with residential uses may be approved as special exceptions and be subject to an intensity of less than or equal to 0.50 floor area ratio.

Where a lot, parcel or development is located within more than one residential density category the permitted density shall be calculated separately for each portion of land within the separate density categories.

- Residential low density shall be limited to a density of less than or equal to 2.0 dwelling units per acre.
- Residential moderate density shall be limited to a density of less than or equal to 4.0 dwelling units per acre.
- Residential medium density shall be limited to a density of less than or equal to 8.0 dwelling units per acre.

The medium density residential use classification can also provide location for professional and business activities along arterial and collector streets in transitional areas buffering residential neighborhoods from intensive non-residential areas and such activities shall be limited to an intensity of 1.0 floor area ratio.

- Residential high density shall be limited to a density of less than or equal to 20.0 dwelling units per acre.

**COMMERCIAL**

Lands classified as commercial use consist of areas used for the sale, rental, and distribution of products or performance of services, as well as public, charter and private elementary, middle and high schools.

In addition, off-site signs, churches and other houses of worship, private clubs and lodges, residential dwelling units, which existed within this category on the date of adoption of this objective, and other similar uses compatible with commercial uses may be approved as special exceptions and be subject to an intensity of less than or equal to 0.25 floor area ratio except within the (CG) Commercial, General, (CI) Commercial, Intensive, (C-CBD) Commercial, Central Business District, and (CHI) Commercial - Highway Interchange districts being subject to an intensity of less than or equal to 1.0 floor area ratio.

(CN) Commercial, Neighborhood uses shall be limited to an intensity of less than or equal to 0.25 floor area ratio. (CG) Commercial, General, (CI) Commercial, Intensive, (C-CBD) Commercial, Central Business District and (CHI) Commercial, Highway shall be limited to an intensity of less than or equal to 1.0 floor area ratio.

**INDUSTRIAL**

Lands classified as industrial consist of areas used for the manufacturing, assembly, processing, or storage of products, as well as public, charter and private schools teaching industrial arts curriculum. In addition, off site signs, truck stops and automobile service stations, and other similar uses compatible with industrial uses may be approved as special exceptions.

Industrial uses shall be limited to an intensity of less than or equal to 1.0 floor area ratio.

Section 2. 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 3. Conflict. All ordinances or portions of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall become effective upon adoption.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Florida Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Economic Opportunity.

Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 166.021, Florida Statutes, as amended and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED upon first reading this 16th day of November 2020.

PASSED AND DULY ADOPTED, upon second and final reading, in regular session with a quorum present and voting, by the City Council this 1st day of February 2021.

Attest:

CITY COUNCIL  
CITY OF LAKE CITY, FLORIDA

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Audrey Sikes, City Clerk

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Stephen M. Witt, Mayor

APPROVED AS TO FORM AND LEGALITY:

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Frederick L. Koberlein Jr., City Attorney


**Ordinance Number: 2020-2167**  
**Passed on first reading on November 16, 2020**

**Record of Vote on First Reading**

	For	Against	Absent	Abstain
Stephen Witt, Mayor/Council Member	<u>✓</u>	_____	_____	_____
Chris Greene, Council Member	<u>✓</u>	_____	_____	_____
Jake Hill, Jr., Council Member	<u>✓</u>	_____	_____	_____
Eugene Jefferson, Council Member	<u>✓</u>	_____	_____	_____
Todd Sampson, Council Member	<u>✓</u>	_____	_____	_____

**Certification**

I, Audrey Sikes, City Clerk for the City of Lake City, Florida, hereby certify that the above record vote is an accurate and correct record of the votes taken on the Ordinance by the City Council of the City of Lake City.

  
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AUDREY E. SIKES, MMC  
City Clerk