

ORDINANCE NO. 2024-2270

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE CITY OF LAKE CITY COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN AMENDMENT OF 50 OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, CPA 23-07, BY THE PROPERTY OWNER OF SAID ACREAGE, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR CHANGING THE FUTURE LAND USE CLASSIFICATION FROM RESIDENTIAL MEDIUM DENSITY (LESS THAN OR EQUAL TO 8 DWELLING UNITS PER ACRE) TO COMMERCIAL OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE CITY, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 166.021, Florida Statutes, as amended, 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, as amended, 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 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, as amended, 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 and the Concurrency Management Assessment concerning said application for an amendment, as described below, and recommended to the City Council approval of said application for an amendment, as described below;

WHEREAS, the City Council held the required public hearing, 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 hearing, the City Council reviewed and considered all comments received during said public hearing, including the recommendation of the Planning and Zoning Board, serving also as the Local Planning Agency, and the Concurrency Management Assessment concerning said application for an amendment, as described below;

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

WHEREAS, the City Council has determined and found that a need and justification exist for the approval of said application for amendment, as described below;

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

Section 1. Pursuant to an application, CPA 23-07, by Carol Chadwick, as agent for OM Shanti Investment Group, LLC, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the land use classification of certain lands, the land use classification is hereby changed from RESIDENTIAL MEDIUM DENSITY (less than or equal to 8 dwelling units per acre) to COMMERCIAL on property described, as

follows:

A parcel of land lying in Section 33, Township 3 South, Range 17 East, Columbia County, Florida. Being more particularly described as follows: Begin at the point of intersection of the Southeast right of way line of Troy Road and the East line of the Southeast 1/4 of the Northwest 1/4 of Section 1, Township 4 South, Range 16 East, Columbia County, Florida and run South 02 deg. 11 min. 15 sec. East along said East line of the Southeast 1/4 of the Northwest 1/4 a distance of 322.68 feet to a point on the Northerly line of a proposed 80 foot road, said point being on the arc of a curve concave to the North having a radius of 1105.92 feet and a central angle of 08 deg. 25 min. 19 sec., said curve also having a chord bearing and distance of North 70 deg. 14 min. 55 sec. West, 162.41 feet; thence Westerly along the arc of said curve, being also said Northerly line of a proposed 80 foot road, 162.56 feet to a point on the Southeasterly line of a 0.25 acre parcel of land; thence North 48 deg. 07 min. 32 sec. East along said Southeasterly line, 59.47 feet; thence North 49 deg. 38 min. 27 sec. West, along the Northeasterly line of said 0.25 acre parcel of land 105.04 feet to a point on the Southeasterly right of way line of Troy Road; thence North 47 deg. 48 min. 06 sec. East along said Southeasterly right of way line, 237.97 feet to the Point of Beginning.

Containing 0.859 acres, more or less.

AND

A parcel of land lying in the SE 1/4 of the NW 1/4 of Section 1, Township 4 South, Range 16 East, Columbia County, Florida, explicitly described as follows: Commence at the Northeast corner of the SE 1/4 of the NW 1/4 of said Section 1; thence on the East boundary thereof S02° 11'15"E, a distance of 342.35 feet to the North right of way line of S.W. Faith Road; thence continue on said East boundary S02° 11'15"E, a distance of 65.81 feet to the South right of way line of S. W. Faith Road; thence on said South right of way line S47°48'06"W, a distance of 237.97 feet to the point of beginning; thence S49°38'27"E, a distance of 105.28 feet; thence S48° 10'14"W, a distance of 59.47 feet to the North maintained right of way line of Bascom Norris Drive and a point on a curve concave Northeasterly having a radius of 410.57 feet and a central angle of 12°47'45"; thence on said right of way line and on the arc of said curve a distance of 91.68 feet, said arc subtended by a chord which bears N58°32'20"W, a distance of 91.50 feet to the curve's end and a point on a curve concave Southeasterly having a radius of 22.74 feet and a central angle of 71°53'16"; thence on the arc of said curve a distance of 28.53 feet, said arc subtended by a chord which bears N09°43'14"E, a distance of 26.70 feet to the South right of way line of aforesaid S.W. Faith Road; thence on said South right of way line N48°05'32"E, a distance of 50.56 feet to the point of beginning.

Containing 0.17 acres, more or less.

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 with this ordinance are hereby repealed to the extent of such conflict.

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

The effective date of this plan amendment shall be thirty-one (31) days following the date of adoption of this plan amendment. However, if any affected person files a petition with the Florida Division of Administrative Hearings pursuant to Section 120.57, Florida Statutes, as amended, to request a hearing to challenge the compliance of this plan amendment with Sections 163.3161 through 163.3248, Florida Statutes, as amended, within thirty (30) days following the date of adoption of this plan amendment, this plan amendment shall not become effective until the Florida Department of Economic Opportunity or the Florida Administration Commission, respectively, issues a final order determining this plan amendment is

in compliance. No development orders, development permits or land uses dependent on this plan amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued, this plan 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, Division of Community Development, 107 East Madison Street, Caldwell Building, First Floor, Tallahassee, Florida 32399-4120.

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 2nd day of January 2024.

PASSED AND DULY ADOPTED, upon second and final reading, in regular session with a quorum present and voting, by the City Council this ____ day of _____ 2024.

Attest:

CITY COUNCIL
CITY OF LAKE CITY, FLORIDA

Audrey Sikes, City Clerk

Stephen M. Witt, Mayor

APPROVED AS TO FORM AND LEGALITY:

Thomas J. Kennon III, City Attorney

First Reading Only