

ORDINANCE NO. 2020-2173

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 20-10, 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 ADDING A MIXED USE 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 20-10, by the City Council, to amend the text of the Comprehensive Plan, a portion of Policy I.1.2 of the Future Land Use Element of the Comprehensive Plan, is hereby amended to add a new Mixed Use land use classification to read, as follows:

MIXED USE

The mixed use land use classification is appropriate in locations where central water and wastewater facilities are available or planned to be available and shall be along arterial or collector roads where adequate capacity is available to meet the impacts of the proposed development as defined in the Concurrency Management System.

The purpose of the mixed use land use classification is to allow for development of an integrated mix of uses and to provide for the expansion of the City's economic base, while providing for affordable workforce housing opportunities in close proximity to places of employment.

A mixed use land use classification shall be comprised of non-residential, residential and open space/conservation uses as follows:

USES	MINIMUM %	MAXIMUM %
Non-Residential	50	85
Residential	5	40
Open Space	10	

The minimum and maximum percentages identified above shall be based on gross acreage of any proposed mixed use land use classification.

Non-Residential

Non-residential uses within the mixed use land use classifications may include the following; Light or Heavy Industrial, General Commercial, Office, Public Facilities or Infrastructure. Within the non-residential component of the Mixed Use land use classification, a minimum of fifty percent shall be industrial. Non-residential uses shall be limited to an intensity of no more than 1.0 floor area ratio.

Residential

Housing options may include single family detached and attached units to multi-family units. Residential density shall not exceed ten dwelling units per acre based on gross acreage of the overall residential portion of the proposed mixed use land use classification. The clustering of residential units and housing types is permitted and desired in order to maximize open space and to make efficient use of infrastructure as long as the overall gross density of ten dwelling units per acre is not exceeded.

Open Space

Open space may include wetlands, upland buffers, passive recreational or landscape areas or linear open space, which may include such features as walkways, bike paths, plazas or other similar amenities. At least ten percent of the required open space shall be uplands. One-half of the required upland open space shall be useable for residents and employees of said development.

Development Standards

Central potable water and wastewater utilities can be provided by a public or private entity. Should central potable water and wastewater utilities not be available to the site at the time of a development permit being issued, then the development shall be limited to densities that prevent degradation of groundwater quality, as follows;

1. Non-residential uses are limited to those as specifically listed as principal uses and structures within the Commercial General and Industrial, Light and Warehousing zoning districts as defined within the Land Development Regulations;
2. Residential density does not exceed an overall gross density of two dwelling units per acre; and
3. The disposal of industrial, hazardous or toxic waste into septic tanks is prohibited in accordance with Chapter 381, Florida Statutes, as amended.

Where the installation, use and proper maintenance of technologically advanced wastewater treatment or septic systems are shown to be effective in maintaining groundwater quality, higher intensities and densities may be permitted.

The mixed use land use classification shall not be allowed in areas identified as environmentally sensitive area.

All development shall have access to paved roads. All internal roads shall be paved to City standards. Primary ingress/egress from the development area to external roadways shall be required to be improved in accordance to City standards, and centralized in order to minimize the number of access points to external roadways.

Residential and non-residential portions of the development shall be linked internal to the development by streets, sidewalks, and in some cases by separate systems of pedestrian, bike and/or golf cart paths.

All development shall comply with all other applicable requirements of this Comprehensive Plan and the Land Development Regulations.

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 21st day of December 2020.

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 _____ 2021.

CITY COUNCIL
CITY OF LAKE CITY, FLORIDA

Attest:

Audrey Sikes, City Clerk

Stephen M. Witt, Mayor

APPROVED AS TO FORM AND LEGALITY:

Frederick L. Koberlein Jr., City Attorney