

# ORDINANCE NO. 2024-2272

## CITY OF LAKE CITY, FLORIDA

1           **AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE**  
2           **TEXT OF THE CITY OF LAKE CITY LAND DEVELOPMENT REGULATIONS, AS**  
3           **AMENDED; PURSUANT TO AN APPLICATION, LDR 24-01, RELATING TO**  
4           **AN AMENDMENT TO THE TEXT OF THE LAND DEVELOPMENT**  
5           **REGULATIONS; PROVIDING FOR AMENDING SUBSECTION 13.11.3**  
6           **ENTITLED, "ACTION ON SITE AND DEVELOPMENT PLAN", CONCERNING**  
7           **PROVIDING NOTICE AND HEARINGS FOR CONSIDERATION OF SITE AND**  
8           **DEVELOPMENT PLANS; PROVIDING SEVERABILITY; REPEALING ALL**  
9           **ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE**

10       **WHEREAS**, Section 166.021, Florida Statutes, as amended, empowers the City Council of the City of Lake  
11       City, Florida, hereinafter referred to as the City Council, to prepare, adopt and enforce land development  
12       regulations;

13       **WHEREAS**, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning  
14       Act, requires the City Council to prepare and adopt regulations concerning the use of land and water to  
15       implement the comprehensive plan;

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

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

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

28       **WHEREAS**, pursuant to Section 166.041, Florida Statutes, as amended, the City Council held the required  
29       public hearing, with public notice having been provided, on said application for an amendment, as  
30       described below, and at said public hearing, the City Council reviewed and considered all comments  
31       received during said public hearing, including the recommendation of the Planning and Zoning Board,  
32       serving also as the Local Planning Agency, concerning said application for an amendment, as described  
33       below; and

34       **WHEREAS**, the City Council has determined and found that a need and justification exists for the  
35       approval of said application for an amendment, as described below;

36       **WHEREAS**, the City Council has determined and found that approval of said application for an  
37       amendment, as described below, is consistent with the purposes and objectives of the Comprehensive

38 Plan; and

39 **WHEREAS**, the City Council has determined and found that approval of said application for an  
40 amendment, as described below, will further the purposes of the Land Development Regulations and  
41 other ordinances, regulations, and actions designed to implement the Comprehensive Plan; and

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

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

47 **BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

48 **SECTION 1.** Pursuant to a text amendment LDR 24-01, by City of Lake City, to amend the text of the Land  
49 Development Regulations, Article XIII entitled Permitting and Concurrency Management; Division 11  
50 entitled, Site and Development Plan Approval, Section 3 entitled, Action on Site and Development Plan, is  
51 amended as follows:

52           13.11.3 Action on Site and Development Plan. The Land Development  
53 Regulation Administrator shall forward the application for site  
54 and development plan approval along with any comments or  
55 criticisms to the Planning and Zoning Board for consideration.  
56 The Planning and Zoning Board shall handle such matters in a  
57 public session as part of a previously prepared agenda,  
58 ~~however, no public notice and hearing is required.~~ All matters  
59 relating to Planning and Zoning Board consideration of site and  
60 development plans shall be a public record and approval,  
61 approval with conditions, or denial shall require formal action  
62 of the Planning and Zoning Board. A petition for a zoning  
63 amendment and an application for site and development plan  
64 approval shall not be handled concurrently. Rather, an  
65 application for site and development plan approval shall be  
66 heard only after the applicant has secured the appropriate  
67 zoning on the subject parcel. Appeals from decisions of the  
68 Planning and Zoning Board shall be heard as set out in Article  
69 12 of these land development regulations.

70 In reaching a decision as to whether or not the site and  
71 development plan as submitted should be approved with a  
72 directive to the Land Development Regulation Administrator to  
73 issue building permits, the Planning and Zoning Board shall be  
74 guided in its decision to approve, approve with conditions, or

75 to deny by the following standards; the Planning and Zoning  
76 Board shall show in its record that each was considered where  
77 applicable and it shall make findings in regard to those of the  
78 following standards which it finds to be applicable:

79 1. Sufficiency of statements on ownership and control of the  
80 development and sufficiency of conditions of ownership or  
81 control, use, and permanent maintenance of common  
82 open space, common facilities, or common lands to ensure  
83 preservation of such lands and facilities for their intended  
84 purpose and to ensure that such common facilities will not  
85 become a future liability for the City Council.

86 2. Density and/or the intended use of the proposed  
87 development with particular attention to its relationship  
88 to adjacent and nearby properties and effect on those  
89 properties and relationship to the Comprehensive Plan.

90 3. Ingress and egress to the development and proposed  
91 structures on the development, with particular reference  
92 to automotive and pedestrian safety, minimization of  
93 marginal friction with free movement of traffic on adjacent  
94 streets, separation of automotive traffic and pedestrian  
95 and other traffic, traffic flow and control, provision of  
96 services and servicing of utilities and refuse collection, and  
97 access in case of fire, catastrophe, or emergency.

98 4. Location and relationship of offstreet parking and offstreet  
99 loading facilities to thoroughfares and internal traffic  
100 patterns within the proposed development, with particular  
101 reference to automotive and pedestrian safety, traffic flow  
102 and control, access in case of fire or catastrophe, and  
103 screening and landscape.

104 5. Sufficiency of proposed screens and buffers to preserve  
105 internal and external harmony and compatibility with uses  
106 inside and outside the proposed development.

107 6. Manner of stormwater management on the property, with  
108 particular reference to the effect of provisions for  
109 stormwater management on adjacent and nearby  
110 properties and the consequences of such stormwater  
111 management on overall public stormwater management  
112 capacities.

- 113 7. Adequacy of provision for sanitary sewers, with particular  
114 relationship to overall sanitary sewer availability and  
115 capacities.
- 116 8. Utilities, with reference to hook-in locations and  
117 availability and capacity for the uses projected.
- 118 9. Recreation facilities and open spaces, with attention to the  
119 size, location, and development of the areas as to  
120 adequacy, effect on privacy of adjacent and nearby  
121 properties and uses within the proposed development,  
122 and relationship to community open spaces and  
123 recreational facilities.
- 124 10. General amenities and convenience, with particular  
125 reference to assuring that appearance and general layout  
126 of the proposed development will be compatible and  
127 harmonious with properties in the general area and will  
128 not be in conflict with other development in the area as to  
129 cause substantial depreciation of property values.
- 130 11. Such other standards as may be imposed by these land  
131 development regulations on the particular use or activity  
132 involved.

133 **SECTION 2.** It is the declared intent of the City of Lake City, City Council that, if any section, sentence,  
134 clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional,  
135 void, or inoperative by a court or agency of competent jurisdiction, such holding of invalidity or  
136 unconstitutionality shall not affect the remaining provisions of this Ordinance and the remainder of this  
137 Ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

138 **SECTION 3.** It is the intention of the City Council of the City of Lake City that the provisions of this  
139 Ordinance shall become and be made part of the Code of Ordinances of the City of Lake City, Florida. The  
140 Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed  
141 to "Section", "Article" or such other word or phrase in order to accomplish such intention. The correction  
142 of typographical errors which do not affect the intent or substance of the ordinance may be authorized  
143 by the City Clerk or the City Clerk's designee with the consent of the City Attorney without public hearing,  
144 by filing a corrected or re-codified copy of the same with the City. All text shown in ~~bold and strike~~  
145 ~~through~~ is to be deleted. All text shown in **bold and underline** is adopted.

146 **SECTION 4. Severability.** If any provision or portion of this ordinance is declared by any court of  
147 competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and  
148 portions of this ordinance shall remain in full force and effect.

149 **SECTION 5. Conflict.** All ordinances or portions of ordinances in conflict with this ordinance are hereby  
150 repealed to the extent of such conflict.

151 **SECTION 6. Effective Date.** This ordinance shall become effective upon adoption.

152 **SECTION 7. Authority.** This ordinance is adopted pursuant to the authority granted by Section 166.021,  
153 Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

**APPROVED, UPON THE FIRST READING,** by the City Council of the City of Lake City at a regular meeting,  
on the \_\_\_\_ day of April, 2024.

**PUBLICLY NOTICED,** in a newspaper of general circulation in the City of Lake City, Florida, by the City Clerk  
of the City of Lake City, Florida on the \_\_\_\_ day of April, 2024.

**APPROVED UPON THE SECOND READING, AND ADOPTED ON FINAL PASSAGE,** by an affirmative vote of  
a majority of a quorum present of the City Council of Lake City, Florida, at a regularly scheduled meeting  
this \_\_\_\_ day of May, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY, FLORIDA

\_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF  
THE CITY OF LAKE CITY, FLORIDA:

\_\_\_\_\_  
Audrey Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Clay Martin, City Attorney