

ORDINANCE NO. 2024-2298

CITY OF LAKE CITY, FLORIDA

1 **AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING**
2 **THE FUTURE LAND USE PLAN MAP OF THE CITY OF LAKE CITY**
3 **COMPREHENSIVE PLAN, AS AMENDED; RELATING TO AN**
4 **AMENDMENT OF 50 OR LESS ACRES OF LAND, PURSUANT TO AN**
5 **APPLICATION, CPA 24-04, BY CHARLES MILLAR AS AGENT FOR**
6 **VYP, LLC, A FLORIDA LIMITED LIABILITY COMPANY, PROPERTY**
7 **OWNER OF SAID ACREAGE, UNDER THE AMENDMENT**
8 **PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH**
9 **163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR**
10 **CHANGING THE FUTURE LAND USE CLASSIFICATION FROM**
11 **COMMERCIAL COUNTY TO COMMERCIAL CITY OF CERTAIN LANDS**
12 **WITHIN THE CORPORATE LIMITS OF THE CITY OF LAKE CITY,**
13 **FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL**
14 **ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE**

15 **WHEREAS**, Section 166.021, Florida Statutes, as amended, empowers the City Council of
16 the City of Lake City, Florida, (the “City Council”), to prepare, adopt and implement a
17 Comprehensive Plan; and

18 **WHEREAS**, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the
19 Community Planning Act, empowers and requires the City Council to prepare, adopt and
20 implement a Comprehensive Plan; and

21 **WHEREAS**, an application CPA 24-04, was submitted by Charles Millar, as agent for VYP,
22 LLC, a Florida limited liability company, the property owner, for an amendment, as
23 described below, to the Future Land Use Plan Map of the City of Lake City’s Comprehensive
24 Plan has been filed with the City; and

25 **WHEREAS**, the Planning and Zoning Board of the City of Lake City, Florida, (the “Planning
26 and Zoning Board”) has been designated as the Local Planning Agency of the City of Lake
27 City, Florida, (the “Local Planning Agency”); and

28 **WHEREAS**, pursuant to Section 163.3174, Florida Statutes, as amended, and the Land
29 Development Regulations, the Planning and Zoning Board, serving also as the Local
30 Planning Agency, held the required public hearing, with public notice having been provided,
31 on said application for an amendment, as described below, and at said public hearing, the
32 Planning and Zoning Board, serving also as the Local Planning Agency, reviewed and
33 considered all comments received during said public hearing and the Concurrency
34 Management Assessment concerning said application for an amendment, as described

35 below, to the Future Land Use Map of the City’s Comprehensive Plan and recommended
36 the City Council approve said application for amendment, as described below, to the Future
37 Land Use Map of the City’s Comprehensive Plan; and

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

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

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

51 **BE IT ENACTED** BY THE PEOPLE OF THE CITY OF LAKE CITY, FLORIDA:

52 1. Pursuant to an application, CPA 24-04, submitted by Charles Millar, as agent for VYP,
53 LLC, a Florida limited liability company, to amend the Future Land Use Plan Map of the
54 Comprehensive Plan by changing the future land use classification of certain lands, the
55 area of such lands being 50 acres or less, such future land use classification on such
56 lands is hereby changed from **COMMERCIAL COUNTY TO COMMERCIAL CITY** on property
57 **containing 0.583 acres, more or less and** described, as follows:

58 **A parcel of land lying in Section 36, Township 3 South, Range 16**
59 **East, Columbia County, Florida, being more particularly described**
60 **as follows:**

61 **Lots 2, 3, 4 and 5, Block A, Westwood Park, Section A, according to**
62 **the map or plat thereof, as recorded in Plat Book 1, Page 45 of the**
63 **Public Records of Columbia County, Florida, a subdivision**
64 **embracing a part of the SW 1/4 of the SE 1/4 of Section 36,**
65 **Township 3 South, Range 16 East, Columbia County, Florida,**
66 **according to map of same prepared by C.W. Brown and W.W.**
67 **Nihiser, Surveyors, dated June 8, 1926, and filed in the Official**

68 **Records of the Columbia County Clerk of Circuit Courts on July 6,**
69 **1926; less and except that portion heretofore acquired by the state**
70 **of Florida for road Right-of-Ways.**

71 2. If any provision or portion of this ordinance is declared by any court of competent
72 jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions
73 and portions of this ordinance shall remain in full force and effect.

74 3. All ordinances or portions of ordinances in conflict with this ordinance are hereby
75 repealed to the extent of such conflict.

76 4. This ordinance shall be effective upon adoption, subject to the following:

77 The effective date of this plan amendment shall be thirty-one (31) days
78 following the date of adoption of this plan amendment. However, if any
79 affected person files a petition with the Florida Division of Administrative
80 Hearings pursuant to Section 120.57, Florida Statutes, as amended, to
81 request a hearing to challenge the compliance of this plan amendment
82 with Sections 163.3161 through 163.3248, Florida Statutes, as amended,
83 within thirty (30) days following the date of adoption of this plan
84 amendment, this plan amendment shall not become effective until
85 Florida Commerce or the Florida Administration Commission,
86 respectively, issues a final order determining this plan amendment is in
87 compliance. No development orders, development permits or land uses
88 dependent on this plan amendment may be issued or commence before
89 it has become effective. If a final order of noncompliance is issued, this
90 plan amendment may nevertheless be made effective by adoption of a
91 resolution affirming its effective status, a copy of which resolution shall
92 be sent to Florida Department of Commerce, Division of Community
93 Development, 107 East Madison Street, Caldwell Building, First Floor,
94 Tallahassee, Florida 32399-4120.

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

98 **APPROVED, UPON THE FIRST READING,** by a majority of a quorum of the City Council of
99 the City of Lake City at a regular meeting, on the 2nd day of December, 2024.

100 PUBLICLY NOTICED, in a newspaper of general circulation in the City of Lake City, Florida,
101 by the City Clerk of the City of Lake City, Florida on the ____ day of _____,
102 2024.

103 APPROVED AND ADOPTED UPON THE SECOND READING, by an affirmative vote of a
104 majority of a quorum present of the Lake City City Council, at a regular meeting this ____
105 day of _____, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Noah E. Walker, 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