

ORDINANCE NO. 2023-2256

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF THE CITY OF LAKE CITY LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO THE REZONING OF TEN OR LESS CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 23-04, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM COMMERCIAL, GENERAL (CG) TO COMMERCIAL, INTENSIVE (CI) 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 enforce land development regulations;

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

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

WHEREAS, the Planning and Zoning Board of 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, pursuant to Section 166.041, Florida Statutes, as amended, the City Council 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 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; 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.

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

Section 1. Pursuant to an application, Z 23-04, by Boris Patricia Faye, as trustee of the Boris Patricia Faye Revocable Living Trust, to amend the Official Zoning Atlas of the Land Development Regulations by changing the zoning district of certain lands, the zoning district is hereby changed from COMMERCIAL, GENERAL (CG) to COMMERCIAL, INTENSIVE (CI) 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: Commence at the intersection of the South line of U.S. Highway 90 (State Road 10/Duval Street) and the West line of Colburn Avenue; thence West 212.5 feet, along the South line of said U.S. Highway 90 (State Road 10/Duval Street), for the Point of Beginning; thence South 07°48'00" West 527.00 feet to the North line of St. Johns Street; thence North 88°35'00" West 211.00 feet along the North line of said St. Johns Street; thence North 07°40'00" East 508.00 feet to the South line of said U.S. Highway 90 (State Road 10/Duval Street); thence North 86°16'00" East

212.50 feet, along the South line of said Duval Street to the Point of Beginning.

Containing 2.27 acres, more or less.

AND

A parcel of land lying in Section 33, Township 3 South, Range 17 East, Columbia County, Florida. Being more particularly described as follows: Commence at the intersection of the South line of U.S. Highway 90 (State Road 10)/Duval Street and the West line of Colburn Avenue; thence South 86°16'00" West 127.30 feet, along the South line of said U.S. Highway 90 (State Road 10/Duval Street), for the Point of Beginning; thence South 86°16'00" West 70.00 feet along the South line of said U.S. Highway 90 (State Road 10/Duval Street); thence South 07°48'00" West 170.00 feet; thence South 08°41'21" West 37.65 feet; thence South 88°00'52" East 69.83 feet; thence North 08°48'58" East 44.11 feet; thence North 07°48'00" East 170.00 feet to the South line of said U.S. Highway 90 (State Road 10/Duval Street) and the Point of Beginning.

Containing 0.33 acre, more or less.

AND

A parcel of land lying in Section 33, Township 3 South, Range 17 East, Columbia County, Florida. Being more particularly described as follows: Commence at the intersection of the South line of U.S. Highway 90 (State Road 10/Duval Street) and the West line of Colburn Avenue; thence South 86°16'00" West 197.30 feet, along the South line of said U.S. Highway 90 (State Road 10/Duval Street); thence South 08°41'21" West 207.83 feet to the Point of Beginning; thence continue South 08°41'21" West 120.00 feet; thence South 88°52'00" East 100.00 feet; thence North 08°41'21" East 120.00 feet; thence North 88°52'00" West 100.00 feet to the Point of Beginning.

Containing 0.28 acre, more or less.

LESS AND EXCEPT:

A parcel of land lying in Section 33, Township 3 South, Range 17 East, Columbia County, Florida. Being more particularly described as follows: Commence at the intersection of the South line of U.S. Highway 90 (State Road 10/Duval Street) and the West line of Colburn Avenue; thence South 86°16'00" West 197.30 feet, along the South line of said U.S. Highway 90 (State Road 10/Duval Street); thence South 08°41'21" West 208.14 feet; thence South 88°00'52" East 69.83 feet to the Point of Beginning; thence continue South 88°00'52" East 30.00 feet; thence South 08°36'19" West 137.72 feet; thence North 81°53'00" West 30.30 feet; thence North 08°40'58" East 134.52 feet to the Point of Beginning.

Containing 0.09 acre, more or less.

AND

A parcel of land lying in Section 33, Township 3 South, Range 17 East, Columbia County, Florida. Being more particularly described as follows: Commence at the intersection of the West line of Colburn Street and the North line of St. Johns Street; thence North 88°52'00" West 95.85 feet, along the North line of said St. Johns Street, for the Point of Beginning; thence North 88°52'00" West 100.00 feet; thence North 07°48'00" East 200.00 feet; thence South 88°52'00" East 70.63 feet; thence South 05°26'25" West 13.18 feet; thence South 81°20'50" East 29.08 feet; thence South 07°16'15" West 182.72 feet to the Point of Beginning.

Containing 0.45 acre, more or less.

All said lands containing 3.24 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 become effective upon adoption.

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 7th day of August 2023.

PASSED AND DULY ADOPTED, upon second and final reading, in regular session with a quorum present and voting, by the City Council this 21st day of August 2023.

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