

ORDINANCE NO. 2025-2316

CITY OF LAKE CITY, FLORIDA

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, DECLARING FOR A PERIOD OF ONE YEAR A MORATORIUM ON THE ACCEPTANCE AND CONSIDERATION OF APPLICATIONS FOR LAND USE ACTIONS OR PERMITS FOR BUILDINGS TO BE USED AS DWELLINGS WHERE SUCH BUILDINGS ARE CONSTRUCTED IN ACCORDANCE WITH CODES OTHER THAN THE FLORIDA BUILDING CODE; MAKING FINDINGS OF FACT IN SUPPORT THEREOF; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AN EFFECTIVE DATE

WHEREAS, Section 166.021, Florida Statutes, as amended, empowers the City Council of the City of Lake City, Florida, (the "City Council") to prepare, adopt and enforce land development regulations; and

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

WHEREAS, the Planning and Zoning Board of the City of Lake City, Florida, (the "Board") has been designated as the Local Planning Agency of the City of Lake City, Florida, (the "LPA"); and

WHEREAS, the City Council, at a public meeting held on April 21, 2025, adopted City Council Resolution 2025-062 directing the City Attorney to draft a moratorium ordinance, hereinafter known as Ordinance No. 2025-2316, for review and approval by the City Council prohibiting for a period of one year the acceptance and consideration of applications for mobile home and manufactured home land use actions or permits, in order for the City to develop mobile home and manufactured home regulations for the LDRs; and

WHEREAS, mobile homes, certain manufactured homes, and residential design manufactured homes are buildings to be used as dwellings which buildings are built in compliance with codes other than the Florida Building Code; and

WHEREAS, the Land Development Regulations (the "LDRs") currently permits mobile homes as a permitted principal use and structure within the "A" Agricultural, "RSF/MH" Residential, (Mixed) Single Family/Mobile Home, "RMH" Residential, Mobile Home, "RMH-P" Residential, Mobile Home Park, "CI" Commercial, Intensive" and "ILW" Industrial, Light and Warehousing zoning districts and permits manufactured homes as a special exception within the "RSF-3" Residential, Single Family-3 and the "CHI" Commercial, Highway Interchange zoning districts; and

WHEREAS, Ordinance No. 2025-2316 declares for a period of one year a moratorium on the acceptance and consideration of applications for land use actions or permits for buildings to be

used as dwellings where such buildings are constructed in accordance with codes other than the Florida Building Code; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, as amended, and the LDRs, the Board, serving also as the LPA, held the required public hearing, with public notice having been provided, on said Ordinance No. 2025-2316, and at said public hearing, the Board, serving also as the LPA, reviewed and considered all comments received during said public hearing, and recommended to the City Council approval of the adoption of said Ordinance No. 2025-2316; and

WHEREAS, two duly noticed City Council public hearings were held for the consideration of the adoption of said Ordinance No. 2025-2316, where public comment was heard, on July 21, 2025 and August 4, 2025, with both public hearings being held after 5:00 p.m.; now, therefore,

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

1. Findings. The City Council finds and declares the following findings:

- a. All statements set forth in the preamble to this ordinance are true and correct;
- b. There exists a need to adopt said Ordinance No. 2025-2316, declaring for a period of one year a moratorium on the acceptance and consideration of applications for land use actions or permits for land use actions or permits for buildings to be used as dwellings where such buildings are constructed in accordance with codes other than the Florida Building Code, as set forth hereinafter in order to fulfill the City's constitutional responsibility and statutory obligation to protect the health, safety, and welfare of the citizens of the City; and
- c. The purpose of said Ordinance No. 2025-2316 is to enable the City Council sufficient time to review and consider amending the LDRs related to mobile homes and manufactured homes.

2. Prohibition. As to any property located in the incorporated area of the City, there is hereby declared for a period of one year a moratorium on the acceptance and consideration of applications for actions or permits for buildings to be used as dwellings where such buildings are constructed in accordance with codes other than the Florida Building Code. No land use action or permit for buildings to be used as dwellings where such buildings are constructed in accordance with codes other than the Florida Building Code shall be accepted or processed, between April 21, 2025 and April 20, 2026.

3. Severability. It is the declared intent of the City Council of the City of Lake City that, if any section, sentence, clause, phrase, or provision of this ordinance is for any reason held or declared to be unconstitutional, void, or inoperative by a court or agency of competent

jurisdiction, such holding of invalidity or unconstitutionality shall not affect the remaining provisions of this ordinance and the remainder of this ordinance, after the exclusion of such part or parts, shall be deemed to be valid.

4. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

5. Effective Date. This ordinance shall become effective upon adoption.

6. 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 _____ day of _____ 2025.

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 _____ 2025.

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 E. Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney