

This instrument prepared by:  
 Thad Crowe, AICP  
 201 North 2<sup>nd</sup> Street  
 Palatka, Florida 32177

**ORDINANCE NO. 11-23**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED TO CHANGE THE TIMEFRAME OF REQUIRED HOOKUP TO CITY WATER SYSTEM FOR PROPERTIES WITHIN 250 FEET OF A CITY WATER LINE FROM 90 DAYS TO ONE YEAR, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE (POLICY D.1.4.3)**

**WHEREAS**, Subsection 163.3187(3), Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

**WHEREAS**, Section 163.3187(3)(b)1-4, Florida Statutes, as amended, provides that the City Commission may transmit the proposed amendment ordinance and supporting data and analysis to state reviewing agencies and any other local government or governmental agency that has filed a written request with the governing body, and

**WHEREAS**, Section 163.3187(3)(b)2-4, Florida Statutes, as amended, provides that state agencies shall transmit to the City of Palatka comments regarding adverse impacts on important state resources and facilities by the amendments, and

**WHEREAS**, Section 163.3187(3)(c)1, Florida Statutes, as amended, provides that the City Commission shall hold a second public hearing to adopt the amendment within 180 days after receipt of agency comments, and

**WHEREAS**, the Planning Board conducted a public hearing on June 7, 2011, and recommended approval of this amendment to the City Commission, and

**NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA:**

**Section 1. Adopted Large Scale Amendment**

That Policy D.1.4.3 of the Public Facilities Element of the adopted Comprehensive Plan of the City of Palatka is hereby amended as shown below in underlined and stricken text to change the timeframe of required connection to City water system for properties within 250 feet of a City water line from 90 days to one year.

*Policy D.1.4.3*

*No new private well shall be allowed within 250 feet of an existing potable water distribution line. In cases where there are existing private wells, the Building Official shall notify the applicant that the facility will be required to convert to the City water system within twelve months of a distribution line reaching within two hundred fifty (250) feet of the subject property line. Within*

twelve (12) months, the City shall adopt the distance criteria of this policy into the requirements of the City Land Development Regulations and shall be enforced by the Building Official during the building permit process.

**Section 3. Effect on the Comprehensive Plan**

The remaining portions of said adopted comprehensive plan of the City of Palatka, Florida, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section 4. Severability**

Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portion.

**Section 5. Effective date**

This Ordinance shall become effective thirty-one (31) days after notification by the state land planning agency notifies the City of Palatka that the plan amendment is complete, or if timely challenged when the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 25<sup>th</sup> day of August, 2011.

**CITY OF PALATKA**

By:   
Its Mayor

**ATTEST:**

  
City Clerk