

## ORDINANCE 10-32

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, AMENDING THE CITY OF PALATKA COMPREHENSIVE PLAN'S CAPITAL IMPROVEMENT ELEMENT TO ADOPT THE FINANCIALLY FEASIBLE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS (FY 2010/11-2014/15) AS REQUIRED BY SECTION 163.3177(3)(b)(1), FLORIDA STATUTES; SETTING FORTH THE AUTHORITY FOR THE AMENDMENT OF THE COMPREHENSIVE PLAN; SETTING FORTH THE PURPOSE AND INTENT OF THE AMENDMENT; IDENTIFYING PLAN ELEMENTS AND SUB-ELEMENTS TO BE AMENDED; PROVIDING FOR A SEVERABILITY CLAUSE, PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 163.3161, Florida Statutes, established the Local Government Comprehensive Planning and Land Development Regulation Act, and

WHEREAS, the City Commission of the City of Palatka, Florida has adopted its Comprehensive Plan pursuant to the Act and has now determined that certain amendments to portions of the plan are needed, and

WHEREAS, Section 163.3187, Florida Statutes, allows amendments to be made to the plan, and

WHEREAS, Section 163.3177(3)(b)(1), Florida Statutes, requires the City of Palatka Comprehensive Plan's Capital Improvement Element and five-year schedule of capital improvements to be updated by December 1, 2010 to be financially feasible and reflect the period of FY 2010/2011 to FY 2014/2015, and

WHEREAS, Section 163.3177(3)(b)(2), Florida Statutes, provides for the adoption of the amendment to update the City of Palatka Comprehensive Plan's Capital Improvement Element and five-year schedule of capital improvements update at a single adoption hearing by the City Commission, and

WHEREAS, the City Commission has provided for opportunity for public hearing after public notice, provisions for open discussion, communications programs, and consideration of and response to public comments concerning the proposed amendment to the Comprehensive Plan, and

WHEREAS, the City invited written comment and public participation at the public hearing; and

WHEREAS, the City Commission held a public hearing on the proposed Comprehensive Plan amendment on November 16, 2010 and considered the findings and advice of all interested parties submitting comments at the public hearing, and upon

complete consideration and deliberation, approved the amendment to the Comprehensive Plan for adoption, and

**WHEREAS**, the City Commission had determined that the adoption of the amendment to the Comprehensive Plan is in the best interests of the health, safety and welfare of the citizens of the City of Palatka, Florida.

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

**SECTION ONE. AUTHORITY.**

This ordinance is adopted in compliance with, and pursuant to the Local Government Comprehensive Planning and Land Development Regulating Act, Section 163.3161, Florida Statutes.

**SECTION TWO. PURPOSE AND INTENT.**

It is hereby declared that the purpose and intent of the adopted amendments are to provide a financially feasible five-year schedule of capital improvement (FY 2010/11-2014/15) as required by section 163.3177(3)(b)(1), Florida Statutes. The amendment updates the five-year schedule of capital improvements of the Capital Improvement Element by adding two Stormwater Management Projects being funded by FEMA Mitigation grants.

**SECTION THREE. ADOPTION OF AMENDMENTS TO CERTAIN ELEMENTS OF THE COMPREHENSIVE PLAN.**

The following City of Palatka Comprehensive Plan amendments are hereby adopted:

1. The City of Palatka Comprehensive Plan Capital Improvement Element's Five-Year Schedule of Capital Improvements, Tables H-1 and H-2, are hereby amended as per the exhibit attached hereto (Exhibit "A"), and as amended, is a part of the official Comprehensive Plan for the City of Palatka, Florida.
2. Policy H.1.1.2 - 9J-5.016(3)(c)(1) a and b - Include all identified facility needs found in the Five Year Schedule of Improvements and the Public School Facilities Capital Improvement Projects for Fiscal Years ~~2009~~ 2010 thru ~~2014~~ 2015.
3. Policy H.2.1.1 - 9J-5.016(3)(c)6 - Review land use decision impacts and timing against existing and future facilities as proposed in the Capital Improvements Program and the Public School Facilities Capital Improvement Projects for FY ~~2009~~ 2010 thru ~~2014~~ 15 (adopted as part of this Comprehensive Plan: see Table H-2) for maintenance of the adopted Level of Service Standards

**SECTION FOUR. SEVERABILITY.**

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is in for any reason held by any court or other forum of competent jurisdiction to be invalid,

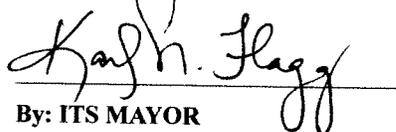
the validity of the remaining portions of this ordinance shall continue in full force and effect.

**SECTION FIVE. EFFECTIVE DATE.**

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs determining the adopted amendments to be in compliance in accordance with Section 163.3184(9), Florida Statutes, or until the Administration Commission issues a final order determining the adopted amendments to be in compliance in accordance with Section 163.3184(10), Florida Statutes. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it had become effective. If a Final Order of Noncompliance is issued by the Administration Commission these amendments may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka, Florida, on this 16<sup>th</sup> day of November 2010

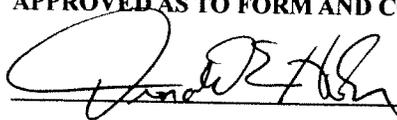
**CITY OF PALATKA**

  
By: ITS MAYOR

**ATTEST:**

  
CITY CLERK

**APPROVED AS TO FORM AND CORRECTNESS**

  
CITY ATTORNEY

**EXHIBIT "A" - PAGE 1**

**APPENDIX G**

**Table H-1**

	2009-2010 Committed Funds	2010-2011 Committed Funds	2011-2012 Committed Funds	2012-2013 Committed Planned Funds	2013-2014 Committed Planned Funds	Revised 11-1-2010 2014-2015 Committed Planned Funds
Infrastructure Category e.g. roads, drainage, potable, water etc.						
<b>REVENUE</b>						
<b>FEMA MITIGATION GRANTS</b>						
<u>St. Johns Ave/15<sup>th</sup> St. Stormwater Management Project</u>					\$200,000	
<u>St. Johns Ave/7<sup>th</sup> St. Stormwater Management Project</u>					\$150,000	
General Operating Funds (funds dedicated and earmarked)						
<b>Planned + Committed (years 4 &amp; 5 only)</b>						
<b>Revenues Total</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$350,000	\$0.00

## EXHIBIT "A" - PAGE 2

TABLE H-2: PUBLIC SCHOOL FACILITIES CAPITAL IMPROVEMENT PROJECTS FOR  
 FY ~~2009-10~~ 2010-11 THRU ~~2013-14~~ 2014-2015

<b>Item/Project Name</b>	<b>FY 2009-2010</b>	<b>FY 2010-2011</b>	<b>FY 2011-2012</b>	<b>FY 2012-2013</b>	<b>FY 2013-2014</b>	<b>FY 2014-2015</b>	<b>Total</b>	<b>Funding Source</b>
Palatka Senior High School 1 <sup>st</sup> floor renovation north	0	0	0	0	0	1,500,000	1,500,000	None listed
Kelley Smith Elementary Classroom Renovation				1,250,000			1,250,000	None listed
Mellon Elementary Classroom Renovation				750,000			750,000	None listed
Riverbreeze Elementary Building 2 Renovation					750,000		750,000	None listed
Kelley Smith Elementary expand media center					950,000		950,000	None listed
Palatka Senior High School renovate PE area; vocational shops area; building 10					1,976,029		1,976,029	None listed
Palatka Senior High School renovate west wing second floor, building 1						1,750,000	1,750,000	None listed
Beasley Middle renovate buildings 13, 14						450,000	450,000	None listed
Jenkins Middle renovate buildings 18, 19, 20						819,469	819,469	None listed