

ORDINANCE 10- 11

AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, ADOPTING AN AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF PALATKA COMPREHENSIVE PLAN CHANGING THE DESIGNATION OF PROPERTY IN SECTION 05 TOWNSHIP 10 SOUTH RANGE 26 EAST FROM COUNTY INDUSTRIAL (IN) TO CITY INDUSTRIAL (IN); AMENDMENT OF THE FUTURE LAND USE ELEMENT BY ADDING A NEW SITE SPECIFIC POLICY A.1.11.6.; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following a public hearing held on February 25th, 2010 and in accordance with Sections 163.3184(3) and 163.3184(15)(b)(1), *Florida Statutes*, and Chapter 9J-11, *Florida Administrative Code*, the City of Palatka City Commission transmitted a certain proposed and requested *Comprehensive Plan* amendment to the Florida Department of Community Affairs (DCA); and

WHEREAS, the City of Palatka Planning Board, which is the "local planning agency" of the City of Palatka, Florida performed all functions required of it by Section 163.3174, *Florida Statutes*, including holding the required public hearing on February 2, 2010, and

WHEREAS, the City of Palatka City Commission held the public hearing on February 25, 2010 as required by Section 163.3184(7), *Florida Statutes*, and in accordance with Section 163.3184(15)(b)(2), *Florida Statutes*, and

WHEREAS, the DCA has reviewed the amendments for consistency with Rule 9J-5, *Florida Administrative Code*, Chapter 163, Part II, *Florida Statutes*, and the adopted City of Palatka *Comprehensive Plan*, and has, by letter dated May 17, 2010 transmitted its Objections, Recommendations and Comments Report ("the ORC Report") to the City of Palatka, and

WHEREAS, in the opinion of the City of Palatka City Commission, the amendment, as hereby adopted, satisfactorily addresses the matters raised by the DCA in the ORC Report, and

WHEREAS, the City of Palatka City Commission concurs with the City's staff recommendations to adopt the *Comprehensive Plan* amendment previously transmitted to DCA on February 25, 2010, as hereby amended, now therefore

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PALATKA, FLORIDA,

THAT:

SECTION ONE: The Future Land Use Map of the City of Palatka, Florida, *Comprehensive Plan* is hereby amended in accordance with the Large Scale Map Amendment and companion text amendment transmitted to the DCA on February 25, 2010 for parcel 05-10-26-0000-0010-0000. The Map Amendment to the Future Land Use Element set forth in Appendix "A" attached hereto and incorporated is therefore herein by reference hereby approved and adopted, subject to the following conditions:

1. New Future Land Use Element Policy A.1.11.6.:

A new site-specific Future Land Use Element policy limiting the amount of development on the property known as "Plum Creek Industrial" is provided in Appendix "B".

2. Future Land Use Map Notation:

A footnote shall be added to the Future Land Use Map that reflects the Ordinance Number and that provides an intensity limitation of the property to a maximum of one hundred eighty thousand (180,000) square feet of industrial building space in Phase I (beginning in 2010 and running to 2015). Development above 180,000 square feet approved for Phase I, may be approved following the submittal of an updated traffic analysis to the City and the Florida Department of Transportation. A maximum of three million, two hundred eighty thousand (3,280,000) square feet of industrial space is allowed in Phase II (beginning in 2015 and running to 2020) subject to site-specific Future Land Use Element Policy A.1.11.6.

SECTION TWO. To make the City of Palatka, Florida *Comprehensive Plan*, as hereby amended, available to the public, a certified copy of the enacting Ordinance, as well as certified copies of the City of Palatka, Florida *Comprehensive Plan* and the Amendment thereto, shall be located in the Building & Zoning Department of Palatka, Florida. The Building & Zoning Department Director shall also make copies available to the public for a reasonable reproduction charge.

SECTION THREE. The Building & Zoning Department Director is hereby authorized and directed to transmit the adopted *Comprehensive Plan* Amendment to the Florida Department of Community Affairs, Bureau of Local Planning, Plan Processing Team, as specified in the Department's procedural rules, within ten (10) working days of the adoption of this Ordinance, and shall also transmit copies to the Northeast Florida Regional Council, to the St. Johns River Water Management District, to the Department of Environmental Protection, to the Department of Transportation, and to any other unit of local government or governmental agency in the State that has filed a written request with the City Commission for a copy of the *Comprehensive Plan* Amendment.

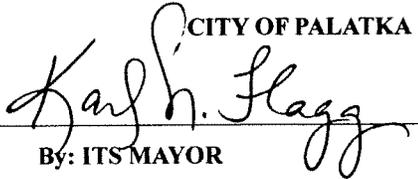
SECTION FOUR. All Ordinances or parts of Ordinances in conflict herewith are

hereby repealed to the extent of such conflict.

SECTION FIVE. The effective date of this Comprehensive Plan Amendment shall be the date of the Final Order that is issued by the Department or by the Administrative Commission finding the Amendment to be in compliance in accordance with Section 163.3184, *Florida Statutes*, whichever occurs earlier. No development orders, development permits, or land uses dependent on this Amendment may be issued or commenced before it has become effective. If the Administration Commission issues a Final Order of Noncompliance, the Amendment may nevertheless be made effective by the adoption of a Resolution affirming its effective status, a copy of which Resolution shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

SECTION SIX. This Ordinance shall take effect immediately upon its adoption.

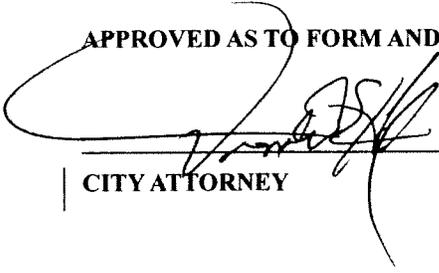
PASSED AND ADOPTED this 10th day of June 2010.

CITY OF PALATKA

By: ITS MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS:


CITY ATTORNEY

Appendix “A”

Future Land Use Map for Parcel (05-10-26-0000-0010-0000)

Legal Description

All of Section 5, Township 10 South, Range 26 East, Putnam County, Florida, less and except the Road recorded in Official Record book 884 Page 1406 and the right-of-way along County Road 309-C recorded in Official Record book 1062 Pg 438. Subject to Seminole right-of-way utility easement recorded in Official Record book 412 Page 1757.

Appendix “B”

New Policy A.1.11.6.

Policy A.1.11.6.

The property known as “Plum Creek Industrial” is limited to 180,000 square feet for Phase I (2010-2015). Development above 180,000 square feet approved for Phase I, may be approved following the submittal of an updated traffic analysis to the City. Prior to initiating development of Phase II (2015-2020), the developer shall meet with the City and the Florida Department of Transportation to agree upon data and methodology for an updated transportation analysis. In addition, prior to initiating development of Phase II, the City’s adopted Five Year Schedule of Capital Improvements will be amended to include any improvements needed to maintain the adopted LOS standard for roadways based upon the Phase II analysis.