

This instrument prepared by:  
 Debbie Banks  
 201 North 2<sup>nd</sup> Street  
 Palatka, Florida 32177

**ORDINANCE NO. 09 - 53**

**AN ORDINANCE OF THE CITY OF PALATKA, FLORIDA, PROVIDING THAT THE FUTURE LAND USE MAP AND FUTURE LAND USE ELEMENT OF THE ADOPTED COMPREHENSIVE PLAN BE AMENDED WITH RESPECT TO ONE PARCEL OF LAND (LESS THAN 10 ACRES IN SIZE) IN SECTION 10, TOWNSHIP 10 SOUTH, RANGE 26 EAST FROM COUNTY URBAN RESERVE TO CITY COMMERCIAL, PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3187, Florida Statutes, as amended, provides for the amendment of an adopted comprehensive plan, and

**WHEREAS**, Section 163.3187, Florida Statutes, as amended, provides that any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan, and

**WHEREAS**, Section 163.3187, Florida Statutes, as amended, provides that a local government may amend its adopted comprehensive plan to change the land uses of up to 80 acres by small scale amendments annually, and

**WHEREAS**, the Planning Board conducted a public hearing on October 6, 2009, and recommended approval of this amendment to the City Commission, and

**WHEREAS**, the City Commission conducted a public hearing on this amendment on November 12, 2009,

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

**Section 1. Adopted Small Scale Amendment**

That the Future Land Use Element and Future Land Use Map of the adopted comprehensive plan of the City of Palatka is hereby amended to provide that the land uses of the parcel of land listed in Table 1 below shall be changed as designated and that the Future Land Use Map shall be amended to show the changes in land use.

**TABLE 1  
 ADOPTED SMALL SCALE AMENDMENTS**

<u>Property Tax Number</u>	<u>Acreage</u>	<u>Current Land Use</u>	<u>Amended Land Use</u>
10-10-26-0000-0390-0000	9.55	County Urban Reserve	City Commercial

**DESCRIPTION OF PROPERTY:**

The West 21 14/16 acres of the NE ¼ of the SW ¼ of Section 10, Township 10 South, Range 26 East, and more particularly described as follows:

Beginning at the NW corner of the NE ¼ of the SW ¼ of said Section 10; thence running East 10.94 chains; thence South 20 chains; thence West 10.94 chains; thence North 20 chains to place

of beginning.

EXCEPT that portion thereof embraced in plat of Dr. Schlecht's Subdivision, Unit 1, and of record in Map Book 3, Page 167 in the office of the Clerk of the Circuit Court for Putnam County, Florida.

ALSO, EXCEPT therefrom that part of the above described lands lying within the lands described in Deed Book 233, Page 182 of the public records of Putnam County, Florida.

ALSO, EXCEPT therefrom that part of the above described lands lying within the lands described in Official Records Book 1101, Page 663 of the public records of Putnam County, Florida.

Property Appraiser's Parcel Number 10-10-26-0000-0390-0000 (9.55 acres more or less.)

All references are to the records of Putnam County, Florida.

**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 its final passage by the City Commission of the City of Palatka, Florida.

**PASSED AND ADOPTED** by the City Commission of the City of Palatka on this 12<sup>th</sup> day of November, 2009.

CITY OF PALATKA

By: \_\_\_\_\_

*Karl H. Fagg*  
Its Mayor

**ATTEST:**

*Betsy J. Dugger*  
City Clerk

Approved as to form and correctness

*[Signature]*  
City Attorney