

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

ORDINANCE NO. 09 - 49

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>
10-10-26-0000-0270-0000 (a portion)	2.24	County Urban Reserve	City Commercial

DESCRIPTION OF PROPERTY:

A tract of land, lying and being a part of the Northeast ¼ of the Northeast ¼ of the Southeast ¼ of Section 10, Township 10 South, Range 26 East, Putnam County, Florida, and being more particularly described as follows:

Beginning at a point 384.75 feet west of the Northeast corner of the Southeast ¼ of Section 10, Township 10 South, Range 26 East, being also the Northeast corner of lands described in Deed Book 157 page 275, (1)thence South 467 feet to an iron pipe, (2)thence west 220.25 feet +/- to the Northwest corner of lands described in OR 573 Page 1434, (3)thence run south 90 feet to a point at the Southwest corner of lands described in OR 573 Page 1434, (4)thence run west 50 feet +/- to a point on the East line of lands described in OR 555 Page 1461, (5)thence run North along the Easterly line of lands described in OR 555 page 1461 and OR 555 Page 1459, 257 feet +/- to a point at the Southwest corner of lands described in OR 145 Page 16, (6)thence run east 100 feet to a point at the Southeast corner of lands described in OR 145 Page 16, (7)thence run north along the easterly line of lands described in OR 145 Page 16 and continue northerly to a point at the Southwest corner of lands described in OR 157 Page 685, (8)thence run East 70 feet along the South line of lands described in OR 157 Page 685 to the Southeast corner thereof. Return to the point of beginning and run westerly along the south line of State Road 20 108.5 feet +/- to a point on the East line of lands described in OR 157 Page 685, (9)thence run South along the East line of lands described in OR 157 Page 685 to the end of call 8 and to close.
 All references are to the records of Putnam County, Florida.

Containing 2.24 acres more or less.

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 12th day of November, 2009.

CITY OF PALATKA

By: *Karl H. Fagg*
 Its Mayor

ATTEST:

Betsy J. Duggins
 City Clerk

Approved as to form and correctness
[Signature]
 City Attorney